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VOL. XIV.—PART II.

CONTAINING
ORIGINAL ARTICLES ON LEGAL SUBJECTS,
ALL IMPORTANT STATUTES,
THE RULES AND ORDERS OF THE VARIOUS COURTS,
THE GAZETTES, CAUSE LISTS,
AND MISCELLANEOUS LEGAL INFORMATION,
FOR
THE YEAR 1850:
WITH AN
ALPHABETICAL LIST OF BANKRUPTS,
AND
INDEX OF PRINCIPAL MATTERS.

LONDON:
S. SWEET, CHANCERY LANE;
V. & R. STEVENS & G. S. NORTON, 26, BELL YARD.

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HODGES & SMITH, GRAFTON STREET.

1851.

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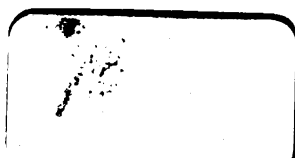
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LONDON, JANUARY 12, 1850.

THERE is a curious case reported in the 6th volume of Meeson & Welsby, p. 358, (*Cornfoot v. Fowke*), which, if it be good law, is singularly bad justice, and shews how affectionate the law sometimes is to fraud, provided it be necessary, in order to support the fraud, to use arguments of the most intense cunning, and the most distant from those that ordinary and plain sense would suggest. The case to which we refer was in itself simple enough. The plaintiff, a house-owner, knew that his house was next door to a brothel; he employed, to let it, an agent, who did not know that fact. The agent, being applied to by the defendant, who wished to have the house, was asked "if there was any objection to it?" and the agent replied "that there was not;" whereupon the defendant signed an agreement to take the house. On discovering the fact of the adjacent nuisance, he declined to fulfil his agreement; and an action being brought, he pleaded that the plaintiff had procured him to enter into the agreement by means of *fraud, covin, and misrepresentation* of the plaintiff, and others in collusion with him. It was held that the plea could not be supported; as Parke, B., most ingeniously, and at the same time neatly, put it, "The simple facts that the plaintiff knew of the existence of the nuisance, and that the agent, who did not know of it, represented that it did not exist, are not enough to constitute a fraud. Each person is innocent, because the plaintiff makes no false representation; and the agent, though he makes one, does not know it to be false. And it seems to me an untenable proposition, that, if each be innocent, the act of either or both can be a fraud."

Lord Abinger (dissentient) put the case upon this

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more equitable ground—that the principal cannot take advantage of the false representation of his agent. "It appears to me," said the learned Chief Baron, "that nothing can be more plain than that the principal, though not bound by the representation of his agent, cannot take advantage of a contract made under the false representation of an agent, whether that agent was authorised by him or not to make such representation. Put the ordinary case of a servant employed to sell a horse, but expressly forbid to warrant him sound: is it contended that the buyer, induced by the warranty to give ten times the price which he would have given for an unsound horse, when he discovers the horse to be unsound, is not entitled to rescind the contract? This would be to say, that though the principal is not bound by the false representation of an agent, yet he is entitled to take advantage of that false representation, for the purpose of obtaining a contract beneficial to himself, which he could not have obtained without it."

What is the justice of such a case, or how it would be dealt with in equity if the proceeding had been a bill by the lessor for specific performance of the contract to take a lease, we have not much doubt. It is impossible not to see, that for a party to employ an agent to dispose of his property, concealing from him facts which, being known, will deteriorate its value; and knowing, as every man of ordinary knowledge of the world must be taken to know, that questions will or may be put to that agent involving the existence of the very facts concealed, is not merely putting it in the power of his agent to deceive—it is actually, by inference, instructing him to deceive: and it is impossible not to see that such conduct, if followed by insisting on the terms offered in ignorance of the truth so

wilfully kept back, can only be attributed to a fraudulent purpose. A Court of equity, we take it to be clear, would not, under such circumstances, enforce performance of the contract. In *Lucas v. James*, (13 Jur., part 1, p. 912), where a question somewhat similar arose, but did not call for decision, Wigram, V. C., said, "The law, as stated by Sir Edward Sugden, and I believe correctly, respecting defects in subjects of contract, is this—that if the vendor, at the time of the contract, does not know of the existing defect in the estate, the Court will enforce the contract; otherwise, perhaps, if the defect be known to the vendor, and be one which a provident purchaser could not discover. I presume that the same law exists where the purchase is affected by a nuisance in the neighbourhood."

Now, this observation was made with reference to the case of a vendor simply *not informing* the purchaser—a much weaker case than that wherein the vendor so instructs, or rather so neglects to instruct, his agent, that he must be certain that the agent, if asked, will only return one answer, and that an untrue one. We do not find that the case of *Cornfoot v. Fowke* has been directly overruled at law; but a very modern case (*Taylor v. Ashton*, 11 M. & W. 401) seems, at least, very inconsistent with it. In that case it was laid down, that if one states to another a fact which is untrue, for a fraudulent purpose, with the intention of inducing him to do an act which he afterwards does to his prejudice, an action for deceit will lie; and it is not necessary to shew that the defendant *knew* the representation to be untrue. Now, applying that doctrine to *Cornfoot v. Fowke*, it is clear that the plaintiff, Cornfoot, by his agent, did make a representation which was untrue, and did make it for the purpose of inducing the defendant to do an act which he did to his prejudice: and though the agent himself did not know the untruth of his statement, his statement was that of his principal; and so, the want of knowledge of the untruth seems to have been immaterial.

If, however, we may, with all respect, use such a term in reference to a decided case, the substantial fallacy of the judicial argument in *Cornfoot v. Fowke* seems to have been the assumption, that because the plaintiff himself did not tell the falsehood, therefore he was innocent of the untruth told by his agent; overlooking this, that, by not informing his agent of the truth, he necessarily restricted him to the statement, if asked, of an untruth, and so was guilty of a fraud.

Court Papers.

EQUITY CAUSE LISTS, HILARY TERM, 1850.

*. The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S.* O. Stand Over—*SA.* Short.

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Gardner v. Williams
Devey v. Fisher
Roe v. Goothridge (F C)
Bryant v. Bryant (F D, C)
Sergison v. Sergison (F D, C)
Foster v. Greaves }
Foster v. Foster }
Wright v. Bell
Trant v. Deffell (F D)
Shepherd v. Haneock
Byrne v. Earl of Ranfurly
Porter v. Simson
Peel v. Hague (4 causes)

Paterson v. Scott (F D, C)
Spruce v. Perren (F D, C)
Savage v. Savage (E, F D, C)
Cooper v. France
Hatherell v. Baylis
Hardcastle v. Methley
Onyon v. Washbourn
Savage v. Savage (E, F D)
Smith v. Pollett }
Same v. Pannell }
Seagrave v. Pope
Webster v. Parratt
Staines v. Bourne
Cooke v. Rich
Curtis v. Cotton
Baydon v. Watson (4 causes, F D, C)
Charlton v. Brittlebank
Harries v. Rainbott
Mortimer v. Mortimer
Burbury v. Jee
Roberts v. Bethwin
Duke of Leeds v. Earl Amherst (E)
Myatt v. Price
Haynes v. Barton
Chapman v. Grieve
Ashton v. Jones
Beebe v. Stilton (F D, C)
Lewin v. Kellett
Heathcote v. Wyndham
Eckford v. Roome (2 causes)
Newcombe v. Muir
Ellis Fletcher v. Moore
Stamp v. Stamp
Norman v. Hammack
Hyde v. Neate (F D, C)
Collinge v. Knight (2 causes)
Collinge v. Collinge
Campbell v. Houston
Lloyd v. Lloyd
Trumpler v. Lockett
Baron Rosmore v. Mowatt

Jenkins v. Haynes (F D, C)
 Mason v. Best
 Flood v. Brown
 Attorney-General v. Bishop of
 St. David's (6 causes, F D)
 Pepper v. Decker (F D, C)
 Ann Fletcher v. Mallin
 Alice Fletcher v. Same
 Deacon v. Cooke (2 causes)
 Waters v. Mynn
 Bustow v. Needham (E)
 Ardagh v. Aahley SA
 Davies v. Proctor
 Jermy v. Jermy
 Timmins v. Brassey SA
 Attorney-General v. Lambert
 Attorney-General v. Bishop of
 Lichfield (F D, C)
 Wix v. Wix (F D, C)
 Milne v. Gilbert (F D, C)

Before Vice-Chancellor KNIGHT BRUCE.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Shepherd v. Shepard (D)
 Inman v. Wearing (D)
 Stanley v. Bulkeley Easter T.
 Gore v. Bowser S O
 Smitheman v. Spicer
 Fyler v. Newcombe To be
 mentioned
 Fyler v. Newcombe To be
 Same v. Valpy day
 Froggatt v. Wardell S O
 Gundry v. Gundry
 Davies v. Davies
 Atkinson v. Lion
 Read v. Newland
 Tommey v. Tommey
 Glynn v. Chamberlayne
 Single v. Terrell
 Edgson v. Edgson (2 causes)
 Wilkes v. Slaney
 Bate v. Hooper
 Lee v. Lee
 Lyde v. Lipscombe }
 Barnard v. Same }
 Barron v. Barron
 Chapman v. Salter (E, 2 sets)
 Leadbester v. Faulkner
 Davies v. Royle
 Shackels v. Richardson (F D,
 C)
 Davies v. Davies
 Rangeley v. Rangeley
 Kendall v. Wheeler
 Edwards v. Grove
 Deakin v. Beardmore
 Woodburne v. Woodburne
 Geach v. Pedlar
 Burch v. Coney (3 causes)
 Chave v. Dunn
 Beech v. Viscount St. Vincent
 Norris v. Sandford
 Taylor v. Butler (F D, C)
 Warr v. Howes
 James v. Winwood
 Gatty v. Croft
 Savery v. Surr (E)
 Lloyd v. Nasmyth (P C)
 Lemmer v. Miller
 Morritt v. Walton SA
 Cadwallader v. Eagle (F D) SA
 Prentice v. Taber (3 causes,
 F D, C)
 Sander v. Sander (F D, C)
 Evans v. Richards Jan. 19
 Wood v. Charter Jan. 19
 Tubby v. Tubby (F D, C)
 Att.-Gen. v. Fooks } Jan. 21
 Same v. Milledge }
 Symons v. James (6 causes,
 F D)
 Gee v. Mayor, Aldermen, and
 Burgesses of Manchester
 Attorney-General v. Vint
 Ormerod v. Parkinson

Before Vice-Chancellor WIGRAM.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Clay v. Rufford (Reheard) Jan.
 12
 Mence v. Bagster
 Toulmin v. Copland Jan. 12
 M'Calmont v. Ran-
 kin (F D,
 Same v. Turner } part
 Same v. Bird } heard
 Stoney v. Stoney Jan. 12
 Newman v. Sillett
 Winthrop v. Murray
 Wisden v. Wisden
 Price v. Griffith
 Burt v. Burnham (4 causes,
 F D)
 Gray v. Seabrook (F D)
 Evans v. Pritchard
 Snow v. Parry
 Johnson v. Johnson }
 Same v. Same }
 Savery v. Savery } (E)
 Same v. Will }
 Kekewick v. Manning
 Banbury v. Sturgis
 Beckett v. Bilbrough
 Gedge v. Nevill
 Beeching v. Morpew
 Elsey v. Lutyens
 M'Farlane v. Underwood (F
 D, C)
 Thatcher v. Lambert (F D)
 Thomas v. Heath SA
 Sharpe v. Sharpe (6 causes,
 F D, C)
 Bishop v. Vickers } (F D)
 Same v. Stowers }

Kells Court.

JUDGMENTS RESERVED.

Hooper v. Salmon }
 Tugwell v. Hooper }
 Salomons v. Laing (2 De)
 Bailey v. Lancashire and Che-
 shire Junction Railway Co.
 Holl v. Gordon }
 Holl v. Holl }
 Blenkinsopp v. Blenkinsopp

PLEAS AND DEMURRERS.

Dean and Chapter of Ely v.
 Gayford S O
 Same v. Waddelow S O
 Same v. Same S O
 Same v. Bliss S O
 Same v. Shillito S O
 Same v. Hensley S O

Lewis v. Baldwin (Objection
 for want of parties) S O
 Minn v. Stant (Objection for
 want of parties) S O
 Gregory v. Marychurch (E)
 Hodgson v. Earl Powis (D)

CAUSES.

Stourton v. Jerningham S O
 to present petition
 Gas Light and Coke } (F D,
 Co. v. Symonds } C)
 Symonds v. Gas Light } S O
 and Coke Co. } all
 Stillman v. Gas Light } after
 and Coke Co. } re-
 port on Exceptions

Christy v. Courtenay (F D, C,
 Ptn)
 Baynton v. Hooper } S O to
 Baynton v. Hooper } amend
 Wilson v. Eden (F D, C) S O
 until case returned from
 Queen's Bench

Biggs v. Naylor
 Johnson v. Thomas S O to add
 parties

Hele v. Bexley } (E, F D,
 Hele v. Bexley } C) S O
 Hele v. Bexley } until after
 Hele v. Bowyer } trial of ac-
 Hele v. Donovan } tion at law

Hargrave v. Hargrave (F D, C)
 Ballenger v. Hawes } (F D, C,
 Buck v. Denis } Ptn)

Att.-Gen. v. Marquis
 of Bristol } (Ptn)

Att.-Gen. v. Hine
 Agassiz v. Squire

Thornber v. Sheard
 Fenwick v. Greenwell (F D, C)

Att.-Gen. v. Walmaly } (F D,
 Same v. Dale } C)

Read v. Strangways } (E, F D,
 Same v. Treherne } C)

Howard v. Prince } (F D, C,
 Same v. Stapleton } Ptn)

Same v. Howard }
 Greenwood v. Penny } (F D,
 Boyle v. Same } C)

Hitchcock v. Clendinen } (F D,
 Same v. Aspinwall } C,
 Same v. Hardy } Ptn,

in M'Hardy v. Hitchcock,
 part heard)

Rooth v. Tomlinson
 Langdale v. Morrison E. T.

Coxhead v. Babb
 Same v. Same

Lockhart v. Hardy
 Thomas v. Same
 Norman v. Same
 Hardy v. Lockhart
 Lockhart v. Arundell } (F D,
 Same v. Lee } C)
 Same v. Hardy
 Same v. Crouch

Whalley v. Lord Suffield
 Meddowcroft v. Campbell }

Same v. Hughes
 Ballenger v. Hawes }

Buck v. Denis
 Gregory v. Davies

Penruddock v. Hammond
 Johnstone v. Thomas

Cotton v. Clark
 Morgan v. Morgan } (E)
 Morgan v. Pulman }
 Lines v. Pulman

Guardner v. Boucher
 Moore v. Smith

Denne v. Denne
 Ellis v. Bowman

Moss v. Moss
 Shallcross v. Wright (F D, C)

Biddles v. Jackson
 Biddles v. Jackson }

Byrne v. Norcott
 Jenkins v. Wadson } (F D,
 Shipley v. Wadson } C)

Thornton v. Knight } (F D,
 Palmer v. Knight } C)

Wood v. Shallard } (F D, C)
 Wood v. Shallard }
 Whicker v. Hume } (E)

Hume v. Gilchrist
 Lewis v. Lewis } (F D, C)
 Lewis v. Duggin }
 Biederman v. Seymour (F D,
 C)

Harvey v. Hawkshaw
 Kirkman v. Mister (F D, C)

Gresley v. Earl of Chesterfield
 (F D, C)

NEW CAUSES.

Creak v. Irvine
 Kewney v. Bradshaw

Lantour v. Holcombe
 Lantour v. Farquhar }

Gregory v. Spencer
 Cohen v. Wilkinson

Oliver v. Edmonstone
 Homes v. James

Attorney-Gen. v. Archbishop
 of York

Attorney-Gen. v. Archbishop
 of York

Mount v. Mount.

London Gazettes.

TUESDAY, JANUARY 8.

BANKRUPTS.

WILLIAM BEDFORD, Fen Drayton, Cambridgeshire,
 publican, farmer, dealer and chapman, Jan. 18 at 12, and
 Feb. 23 at 11, Court of Bankruptcy, London: Off. Ass.
 Pennell; Sol. Hutson, 20, Upper Clifton-st., Finsbury.—
 Petition filed Jan. 5.

EDWARD FARRAR, Guildford-st., Middlesex, apothecary,
 dealer and chapman, Jan. 22 at 1, and Feb. 19 at 12,
 Court of Bankruptcy, London: Off. Ass. Edwards; Sols.
 May & Sweetland, 14, Queen-sq., Bloomsbury.—Petition
 filed Dec. 28.

EDWARD EFFER, Totnes, Devonshire, victualler, Jan. 16
 and Feb. 12 at 11, District Court of Bankruptcy, Exeter:
 Off. Ass. Hernaman; Sol. Turner, Exeter.—Petition filed
 Jan. 3.

ELIAS COCKER, Manchester, cotton manufacturer, Jan. 24 and Feb. 14 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Ascroft, Oldham.—Petition filed Jan. 3.

MEETINGS.

Thomas Wright, Derby, cheese factor, Jan. 18 at 11, District Court of Bankruptcy, Nottingham, pr. d.—**W. Lawton**, Liverpool, auctioneer, Jan. 18 at 11, District Court of Bankruptcy, Liverpool, pr. d.—**George B. Pettit**, Brook-st., New-road, St. Pancras, and Upper St. Martin's-lane, Middlesex, ironmonger, Jan. 18 at 11, Court of Bankruptcy, London, last ex.—**Elizabeth West** and **Alfred H. West**, Adelaide-st., Strand, Middlesex, tailors, Jan. 18 at 1, Court of Bankruptcy, London, last ex.—**Edwin Bannister**, Abbotts Bromley and Hill Redware, Staffordshire, harness maker, Jan. 21 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—**Daniel Antrobus**, Audley, Staffordshire, apothecary, Jan. 21 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—**John B. Bucklee**, Kidderminster, Worcestershire, mercer, Jan. 21 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—**Henry B. Elwell**, Wolverhampton, Staffordshire, japanner, Jan. 21 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—**Edward S. Harley**, Birmingham, grocer, Jan. 21 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—**Edward Thornley**, Hinckley, Leicestershire, money scrivener, Jan. 21 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—**Wm. Powell**, Sutton Coldfield, and Birmingham, saw manufacturer, Jan. 21 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—**John Brain**, Holford-square, Pentonville, Middlesex, copper-plate dealer, Jan. 29 at 11, Court of Bankruptcy, London, div.—**Wm. Moody**, High-st., Aldgate, London, tailor, Feb. 1 at 11, Court of Bankruptcy, London, fin. div.—**Wm. H. Lerew**, Upper Norton-street, Fitzroy-square, Middlesex, apothecary, Jan. 29 at 1, Court of Bankruptcy, London, fin. div.—**Thos. Byers**, Upper Lisson-street, Lisson-grove, Marylebone, Middlesex, licensed victualler, Feb. 1 at 12, Court of Bankruptcy, London, fin. div.—**Cornelius S. Smith**, Louth, Lincolnshire, draper, Jan. 30 at 12, Court of Bankruptcy, London, div.—**Wm. H. Bates**, Birmingham, factor, Jan. 28 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; Feb. 2 at 1, fin. div.—**George Fos**, Charlestown, near Glossop, Derbyshire, paper manufacturer, Jan. 30 at 11, District Court of Bankruptcy, Manchester, div.—**Robert Nightingale**, Chorley and Bury, Lancashire, common brewer, Feb. 1 at 11, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Robert Busby, Wood-st., Bethnal-green, Middlesex, and Lawn Farm, near Chigwell-row, Essex, cowkeeper, Jan. 30 at 11, Court of Bankruptcy, London.—**David George Foster**, St. John's-square, Clerkenwell, Middlesex, ironmonger, Jan. 29 at half-past 1, Court of Bankruptcy, London.—**William Lawton**, Liverpool, auctioneer, Jan. 31 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Jonas Jeyes, Moreton-in-Marsh, Gloucestershire, shoemaker.—**Henry Clark**, Leicester, cabinet maker.—**Richard Jelley**, Leicester, cabinet maker.—**Thomas Wood**, Leicester, timber merchant.—**James Sauer**, Kingston-upon-Hull, tailor and draper.

PARTNERSHIPS DISSOLVED.

Isuke Freeman, **Thomas Hilton Bothamley**, and **Francis Benthall**, Coleman-st., London, attornies and solicitors, (so far as regards **Francis Benthall**).—**James Birch** and **Edward Henry Bramah**, Great Winchester-street, London, attornies and solicitors.—**Thomas Ansley Mansford** and **Chas. Beaton**, Bath, Somersetshire, attornies, solicitors, and conveyancers, (under the firm of Mansford & Beaton).—**Joseph Dunning** and **Joseph Stawman**, Leeds, Yorkshire, attornies at law and solicitors in Chancery.

SCOTCH SEQUESTRATIONS.

John Reid, Bent, near Hamilton, Lanarkshire, farmer.—**Peter Gray**, Edinburgh, smith.—**Thomas Brown**, Edinburgh, chemist.—**James Geddes**, Edinburgh, spirit dealer.—**Dow & White**, Glasgow, drapers.—**John Bryce**, Glasgow, architect and builder.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Fowler, Portsmouth, Hampshire, hairdresser, Jan. 29 at 10, County Court of Hampshire, at Portsmouth.—**John Crymes**, Vaynor, Llawhaden, Pembrokeshire, out of business, Jan. 14 at 10, Liverpool District County Court, at Liverpool.—**James Pickering**, Coventry, Warwickshire, labourer, Jan. 28 at 2, County Court of Warwickshire, at Coventry.—**George Lever**, Harting, Sussex, labourer, Jan. 24 at 12, County Court of Sussex, at Midhurst.—**Henry Newberry**, Portsea, Hampshire, butcher, Jan. 29 at 10, County Court of Hampshire, at Portsmouth.—**Jos. Reynolds**, Lower Trannmere, Cheshire, baker, Jan. 22 at 10, County Court of Cheshire, at Birkenhead.—**Thomas Proudman**, Anley, near Fillingley, Warwickshire, shoemaker, Jan. 29 at 11, County Court of Warwickshire, at Nuneaton.—**John Fortesque**, Nuneaton, Warwickshire, baker, Jan. 29 at 11, County Court of Warwickshire, at Nuneaton.—**Wm. Barnes**, Felmersham, Bedfordshire, retailer of tea and coffee, Jan. 24 at 3, County Court of Bedfordshire, at Bedford.—**Alex. Carnon**, Portsea, Hampshire, tea dealer, Jan. 29 at 10, County Court of Hampshire, at Portsmouth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 22 at 11, before Mr. Commissioner HARRIS.

George Mill, Churton-st., Vauxhall-bridge-road, Middlesex, clerk to short-hand writers.—**Wm. Ashenden**, Regent's-place, Battersea-rise, Battersea, Surrey, labourer.

Jan. 23 at 11, before the CHIEF COMMISSIONER.

Wm. Symons, Cannon-st., St. George's in the East, Middlesex, carpenter.—**Walter Ferguson Lock**, South-square, Gray's-inn, Middlesex, lieutenant in the Royal Artillery.

Jan. 24 at 10, before Mr. Commissioner LAW.

Robert Henry Wright, Upper Fountain-place, City-road, Middlesex, schoolmaster.—**Thomas Holland**, Charles-street, Horselydown, Surrey, chandler's-shop keeper.—**Benj. Clark** the younger, Mill-row, Kingland-road, Middlesex, lard manufacturer.

Saturday, Jan. 5.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

George Septimus Simpson, Trafalgar-square, Middlesex, solicitor, No. 60,656 T.; **Robert Willmott**, assignee.—**Mordecai Henry Jones**, Little St. Andrew-street, St. Giles, Middlesex, victualler, No. 61,080 T.; **James Punt** the elder, assignee.—**Thomas Holmes**, Bootle-road, near Liverpool, joiner, No. 71,683 C.; **James M'Murdo**, assignee.—**Alexander Wilson**, Bishopwearmouth, Durham, manager to a publican, No. 71,735 C.; **Christopher Bramwell**, assignee.

Saturday, Jan. 5.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Henry Trollope, Weston-terrace, Bermondsey, Surrey, assistant to a baker: in the Gaol of Horsemonger-lane.—**Samuel Spooner**, Camberwell-lane, Brixton, Surrey, licensed retailer of beer: in the Gaol of Horsemonger-lane.—**William Wells**, High-street, Camden-town, Middlesex, chemist: in the Debtors Prison for London and Middlesex.—**Edmund Foster**, Houghton Regis, Bedfordshire, wheelwright: in the Debtors Prison for London and Middlesex.—**Sarah Ann Sharp**, Well-street, Hackney, Middlesex, baker: in the Debtors Prison for London and Middlesex.—**Samuel Burton**, Skinner-street, Bishopsgate-street, London, clerk to an iron fence maker: in the Debtors Prison for London and Middlesex.—**Alfred Cripps**, Brunswick-place, Ball's-pond-road, Islington, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—**Richard Wrey Whimpole**, Paradise-row, Hackney, Mid-

desex, in no profession: in the Queen's Prison.—*Thomas Charlton Richardson*, Henry-street, Old-street, St. Luke's, Middlesex, out of business: in the Queen's Prison.—*John Lavender Gray*, Great Ryder-street, Westminster, Middlesex, tailor: in the Queen's Prison.—*James William Bolton*, High-street, Shadwell, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Edward Bigg*, Charles-street, Westminster, Middlesex, not in any business: in the Debtors Prison for London and Middlesex.—*John Horatio Clark*, South-sq., Greenwich, Kent, commission agent: in the Debtors Prison for London and Middlesex.—*George Crick*, Castle-street, Long-acre, Middlesex, coachbuilder: in the Debtors Prison for London and Middlesex.—*William Jones the elder*, Hamilton-row, Bagnigge-wells-road, King's-cross, Middlesex, milkman: in the Debtors Prison for London and Middlesex.—*Alexander Robt. Field*, Wood-street, Cheapside, London, out of business: in the Debtors Prison for London and Middlesex.—*Samuel John Campbell*, Jewin-crescent, Jewin-street, London, out of business: in the Debtors Prison for London and Middlesex.—*Thomas Hancock James*, Great Russell-street, Covent-garden, Middlesex, tobacconist: in the Debtors Prison for London and Middlesex.—*Michael Brannen Hart*, Aldersgate-street, London, boarding-house keeper: in the Debtors Prison for London and Middlesex.—*Jas. Thomson Wilson*, Coborn-street, Bow-road, Middlesex, manager to a chemical manufacturer: in the Debtors Prison for London and Middlesex.—*John Greenaker*, Lower-road, Islington, Middlesex, carpenter: in the Queen's Prison.—*Charles Collins*, Great Sutton-street, Clerkenwell, Middlesex, general agent: in the Debtors Prison for London and Middlesex.—*George Hen. Lovegrove*, West Ham, Essex, auctioneer: in the Debtors Prison for London and Middlesex.—*Wm. Morgan*, Albert-street, Mornington-crescent, Hampstead-road, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Joseph Low*, Great Bardfield, Essex, farmer: in the Debtors Prison for London and Middlesex.—*Thomas Bonnard*, Thornton, near Pocklington, Yorkshire, corn miller: in the Gaol of York.—*Metcalf Beckwith*, Brechin Ridge, Kirby Malzeard, near Pateley-bridge, Yorkshire, farmer: in the Gaol of York.—*John Denbigh*, Bradford, Yorkshire, woolsorter: in the Gaol of York.—*William Edmondson*, Eccleshill, near Bradford, Yorkshire, cloth merchant: in the Gaol of York.—*Joseph Garride*, Pendleton, near Manchester, beer-seller: in the Gaol of Lancaster.—*J. Meaken*, Salford, Lancashire, common brewer: in the Gaol of Lancaster.—*John Naylor*, Manchester, provision dealer: in the Gaol of Lancaster.—*Abraham Prime*, Chesterton, Cambridgeshire, wine and spirit seller on commission: in the Gaol of Cambridge.—*J. H. Pates*, Twyford, Buckinghamshire, grocer: in the Gaol of Aylesbury.—*Peter Roberts*, Toxteth-park, Liverpool, shoemaker: in the Gaol of Lancaster.—*J. Schofield*, Blackthorn, Bacup, near Rochdale, Lancashire, shopkeeper: in the Gaol of Lancaster.—*Chas. Stott*, Moor Hey, near Oldham, Lancashire, dealer in cotton waste by commission: in the Gaol of Lancaster.—*John Taylor*, Oldham, Lancashire, joiner: in the Gaol of Lancaster.—*T. Barrow*, Manchester, linendraper: in the Gaol of Lancaster.—*Wm. Daniels*, Hulme, Manchester, painter: in the Gaol of Lancaster.—*James Fearnsley*, Eccleshill, near Bradford, Yorkshire, stonemason: in the Gaol of York.—*Robt. Fisher*, Sheffield, Yorkshire, druggist: in the Gaol of York.—*Fred. Garrard*, Lower-road, Deptford, Kent, clerk in the East Country Docks, Rotherhithe: in the Gaol of Maidstone.—*John Lewis*, Newbridge, Glamorganshire, grocer: in the Gaol of Cardiff.—*John Russell*, Hulme, Manchester, baker: in the Gaol of Lancaster.—*George May*, Almondbury, near Huddersfield, Yorkshire, out of business: in the Gaol of York.—*Rich. Noble*, Almondbury, near Huddersfield, Yorkshire, out of business: in the Gaol of York.—*Wm. Hobbs*, Lunsford-hall, East Malling, Kent, farmer: in the Gaol of Maidstone.—*R. W. Barnes*, Mordiford, Herefordshire, brick-layer: in the Gaol of Hereford.—*James Reed*, Newcastle-upon-Tyne, blockmaker: in the Gaol of Newcastle-upon-Tyne.—*Wm. H. Heginbottom*, Heaton Norris, near Manchester, bookkeeper: in the Gaol of Lancaster.—*W. Hart*, Brighton, Sussex, town traveller: in the Gaol of Lewes.—*E. Jackson*, Swineshead, near Boston, Lincolnshire, farmer: in the Gaol of Lincoln.—*John Kitson*, Upper Raw Folds, Cleckheaton, near Leeds, Yorkshire, cardmaker: in the Gaol of York.—*B. Green*, Barking, Essex, well digger: in the Gaol of Springfield.—*Charles Ryland*, Birmingham, out of business: in the Gaol of Coventry.—*Wm. Tytherleigh*, Birmingham, hollow ware manufacturer: in the Gaol of Coventry.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 23 at 10, before Mr. Commissioner LAW.

Henry Armand Thorpe, George-street, Old Kent-road, Surrey, omnibus proprietor.

Jan. 24 at 11, before the CHIEF COMMISSIONER.

Wm. Aldred, Harper-street, New Kent-road, Surrey, corn merchant on commission.

Jan. 24 at 10, before Mr. Commissioner LAW.

John Moon, Guildford, Surrey, hawker of cloth.—*Samuel Burton*, Skinner-street, Bishopsgate-street, London, general dealer.

Jan. 24 at 11, before Mr. Commissioner PHILLIPS.

A. Crippe, Brunswick-place, Ball's-pond-road, Islington, Middlesex, carpenter.—*Geo. John Saller*, Church-street, Rotherhithe, Surrey, master mariner.—*Wm. Dredge*, Mount-pleasant, East-road, City-road, Middlesex, carpenter.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, Jan. 23 at 10.

James Reed, Newcastle-upon-Tyne, out of business.

At the County Court of Warwickshire, at COVENTRY, Jan. 28.

W. Binnion, Birmingham, carriage-lamp manufacturer.—*James Cox*, Solihul-lodge-common, labourer.—*Keyrick Bennett*, Westbury, Shropshire, farmer.

INSOLVENT DEBTORS' DIVIDENDS.

Jonathan Patten, Paradise-street, Lambeth, Surrey, messenger at the Colonial-office: 5s. 8d. in the pound.—*Francis Perry*, Arundel-street, Panton-square, Middlesex, lieutenant in the 86th regiment of Foot: 2s. 7d. in the pound.—*Isaac Knight*, Manchester, clerk to a sharebroker: 9d. in the pound.—*Wm. Cowmeadow the younger*, East Dean, Gloucestershire, quarryman: 6s. 3d. in the pound.—*Adamson-Holgate*, Bradford, Yorkshire, tea dealer: 6s. 7½d. in the pound.—*Isaac Hearnden*, deceased, Park-street, Greenwich, Kent, clerk in the Customs: 2s. 1½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

FRIDAY, JANUARY 11.

BANKRUPTS.

GEORGE TROTTER, Gloucester, coachmaker, dealer and chapman, Jan. 23 and Feb. 19 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. May & Sweetland, 14, Queen-sq., Bloomsbury.—Petition filed Dec. 20.

JOHN STEAD, Melcombe Regis, Dorsetshire, grocer, Jan. 21 and March 4 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Wilde & Co., College-hill, London.—Petition dated Dec. 28.

JOHN MATTHEWS and **JOHN MARTIN**, Chichester-place, King's-cross, Middlesex, drapers, Jan. 19 at half-past 12, and Feb. 28 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Reed & Co., Friday-st., Cheap-side.—Petition dated Jan. 10.

JOHN STUCKES, Exeter, innkeeper, dealer and chapman, Jan. 18 at 1, and Feb. 12 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sol. Terrell, Exeter.—Petition filed Jan. 1.

HENRY JAMES HINKMAN, Bury, Lancashire, apothecary, Jan. 22 and Feb. 12 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Harper, Bury.—Petition dated Jan. 7.

WILLIAM CORNISH, Bristol, cabinet maker, dealer and chapman, Jan. 24 and Feb. 21 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Sabine, Bristol.—Petition filed Jan. 9.

JOHN FREEMAN, late of Cradley, Herefordshire, but now and for four months last past at Millbank, Worcestershire, horse and cattle dealer, dealer and chapman, Jan. 22 and Feb. 12 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Smith & James, Birmingham.—Petition dated Jan. 5.

WILLIAM DOBBS, Wolverhampton, Staffordshire, brass founder, dealer and chapman, (trading with John Dobbs in copartnership, under the firm of William Dobbs & Son), Jan. 21 at 11, and Feb. 16 at 1, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Foster & Gough, Wolverhampton; Smith & James, Birmingham.—Petition dated Jan. 3.

MEEINGS.

Wm. T. Lee, Heath, near Wakefield, Yorkshire, merchant, Feb. 5 at 12, District Court of Bankruptcy, Leeds, pr. d.—**Buckley Booth**, Runcorn, Cheshire, grocer, Feb. 6 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—**Thomas Martin**, Nicholas-square, Hackney-road, Middlesex, licensed victualler, Jan. 29 at half-past 11, Court of Bankruptcy, London, last ex.—**Patrick F. McKenna**, Egremont, Cheshire, wine merchant, Jan. 28 at 11, District Court of Bankruptcy, Liverpool, last ex.—**Thos. Wilson and Hen. Corbett**, Madras, East Indies, and Manchester and Preston, Lancashire, England, merchants, Jan. 24 at 11, District Court of Bankruptcy, Manchester, last ex.—**John E. Clarke**, **Charles Buckles**, and **Hodgson Inghold**, Manchester and Swinton, Lancashire, contractors, Jan. 21 at 12, District Court of Bankruptcy, Manchester, last ex. of **Chas. Buckles** and **H. Inghold**.—**Charles Hodge**, Plymouth, Devonshire, draper, Jan. 31 at 11, Court of Bankruptcy, London, and. ac.; Feb. 9 at 12, div.—**Edw. Thos. Delefield**, Brook-st., Grosvenor-sq., and Willow-bank, Fulham, Middlesex, brewer, Feb. 7 at 1, Court of Bankruptcy, London, and. ac.—**James R. Fryer**, Little Love-lane, Wood-st., London, stay manufacturer, Feb. 4 at 12, Court of Bankruptcy, London, and. ac.—**Thomas Picket Hennings**, Wyndham-road, Camberwell, Surrey, dealer in wine, Jan. 31 at 11, Court of Bankruptcy, London, and. ac.—**James Alexander**, Great Winchester-st., London, merchant, Jan. 31 at 11, Court of Bankruptcy, London, and. ac.—**John William Prior**, Newington-causeway, Surrey, silversmith and jeweller, Jan. 31 at 2, Court of Bankruptcy, London, and. ac.—**James Coomber**, Walton-on-Thames, Surrey, licensed victualler, Jan. 31 at 1, Court of Bankruptcy, London, and. ac.—**Edmund Lord**, Rochdale, Lancashire, flannel manufacturer, Jan. 22 at 12, District Court of Bankruptcy, Manchester, and. ac.; Feb. 5 at 12, div.—**George Fox**, Charles-town, near Glossop, Derbyshire, paper manufacturer, Jan. 23 at 11, District Court of Bankruptcy, Manchester, and. ac.—**Robert Nightingale**, Chorley, Lancashire, grocer, Jan. 24 at 12, District Court of Bankruptcy, Manchester, and. ac.—**John White**, Shrewsbury, Shropshire, auctioneer, Feb. 8 at 12, District Court of Bankruptcy, Birmingham, and. ac.—**Oliver Robbins**, Wolverhampton, Staffordshire, japanner, Feb. 8 at 12, District Court of Bankruptcy, Birmingham, and. ac.—**Richard Bratton** the elder, Shrewsbury, Shropshire, cabinet maker, Feb. 11 at 11, District Court of Bankruptcy, Birmingham, and. ac.—**John Fletcher Corbett**, Worcester, scrivener, Feb. 11 at 11, District Court of Bankruptcy, Birmingham, and. ac.—**Philip Bond**, Birmingham, Warwickshire, and Burton-upon-Trent, Staffordshire, corn dealer, Feb. 11 at 11, District Court of Bankruptcy, Birmingham, and. ac.—**Daniel Slater**, Preston, near Uppington, Rutlandshire, cabinet maker, Feb. 4 at half-past 11, Court of Bankruptcy, London, div.—**Henry Leisel** the younger and **Alfred Eden**, Hatton-garden, Middlesex, foreign provision merchants, Feb. 4 at half-past 12, Court of Bankruptcy, London, div.—**Charles Hanbury**, Shoreditch, Middlesex, distiller, Feb. 5 at 11, Court of Bankruptcy, London, div.—**Edwin Ryder**, Birmingham, jeweller, Feb. 2 at 11, District Court of Bankruptcy, Birmingham, and. ac.; Feb. 11 at 10, div.—**Thomas Huxley**, Tunstall, Wolstanton, Staffordshire, tailor, Feb. 2 at 1, District Court of Bankruptcy, Birmingham, fin. div.—**Francis Braithwaite**, Hereford, apothecary, Feb. 2 at 1, District Court of Bankruptcy, Birmingham, fin. div.—**Wm. Ashmore**, Birmingham, carrier, Feb. 8 at 12, District Court of Bankruptcy, Birmingham, div.—**William Oakes**, Oldham, Lancashire, watchmaker, Feb. 4 at 12, District Court of Bankruptcy, Manchester, div.—**Richard Dunn** and **Richard Deane Dunn**, Wakefield, Yorkshire, corn factors, Feb. 4 at 1, District Court of Bankruptcy, Leeds, div.—**Benjamin Frith**, Hartshead cum Clifton, Dewsbury, Yorkshire, cotton spinner, Feb. 4 at 11, District Court of Bankruptcy, Leeds, first and fin. div.—**James Jepson**, Driffield, Yorkshire, draper, Feb. 6 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, second and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Butt, Winchester, Hampshire, bootmaker, Feb. 5 at half-past 11, Court of Bankruptcy, London.—**Jas. Kitchner**, Gravel-lane, Southwark, Surrey, scavenger, Feb. 5 at 11, Court of Bankruptcy, London.—**Jacob Jacobs**, Canterbury, Kent, auctioneer, Feb. 5 at 12, Court of Bankruptcy, London.—**George More M'Leod**, Stockwell, Surrey, common brewer, Feb. 2 at 12, Court of Bankruptcy, London.—**Frederick Palmer**, Bristol, wine merchant, Feb. 4 at 11, District Court of Bankruptcy, Bristol.—**Hugh Jones**, Holyhead, Anglesey, innkeeper, Feb. 1 at 11, District Court of Bankruptcy, Liverpool.—**Samuel Fisher Williams**, Liverpool, hosier, Feb. 1 at 11, District Court of Bankruptcy, Liverpool.—**Richard Trussell**, Sheffield, Yorkshire, banker, Feb. 2 at 12, District Court of Bankruptcy, Sheffield.—**Richard Smith**, Droitwich, Worcestershire, corn dealer, Feb. 2 at 11, District Court of Bankruptcy, Birmingham.—**Wm. Cooper**, Coventry, Warwickshire, mercer, Feb. 2 at 1, District Court of Bankruptcy, Birmingham.—**Henry Search**, Lower-road, Rotherhithe, Surrey, carpenter, Feb. 2 at 12, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

John Robinson, Portwood with Brimington, Cheshire, cotton spinner.—**Charles Rowland**, Horsham, Sussex, stonemason.—**Shadrach Clark**, Wheathamstead, Hertfordshire, papermaker.—**Richard Lamprell**, Pratt-street, Camden-town, Middlesex, builder.—**Griffith Lewis**, Market-street, Oxford-street, Middlesex, plumber.—**James Redwood**, Portsea, Southampton, fishmonger.—**Mark Leppingsworth Munson**, Hadleigh, Suffolk, victualler.—**Elisabeth Harris Ryder**, Birmingham, jeweller.—**George Bodington**, Birmingham, chemist.—**Edwin Ryder**, Birmingham, jeweller.

SCOTCH SEQUESTRATIONS.

William Forbes, Glasgow, jeweller.—**Alexander M'Bay**, South Mean, Echt, Aberdeen, farmer.—**Kenneth Macdonald**, Skeabost, near Portree, Isle of Skye, farmer.—**David Steven**, Edinburgh, provision merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Watts, Cheltenham, Gloucestershire, working copersmith, Jan. 22 at 10, County Court of Gloucestershire, at Cheltenham.—**Thomas Goldsworthy**, Bristol, laceman, Feb. 20 at 11, County Court of Gloucestershire, at Bristol.—**Thos. Parry**, Wrexham, Denbighshire, cattle dealer, Jan. 30 at 10, County Court of Denbighshire, at Wrexham.—**Henry Anstey**, Bristol, in no business, Feb. 27 at 11, County Court of Gloucestershire, at Bristol.—**Edward Dickinson**, Halton, Chirk, Denbighshire, farmer, Jan. 29 at 10, County Court of Denbighshire, at Ruabon.—**William Baynes**, Canterbury, Kent, tailor, Jan. 21 at 11, County Court of Kent, at Canterbury.—**Benjamin Bush**, Boston, Lincolnshire, labourer, Feb. 5 at 10, County Court of Lincolnshire, at Boston.—**Edward Gully**, Bristol, steward of steam-packets trading between Bristol and Newport, Feb. 27 at 11, County Court of Gloucestershire, at Bristol.—**Henry Hellier Peters**, Bristol, in no business, Feb. 13 at 11, County Court of Gloucestershire, at Bristol.—**William Smelling**, Burstow, Surrey, butcher, Jan. 30 at 12, County Court of Sussex, at East Grinstead.—**Philip Griffiths**, Hencoed, Wiston, Pembrokeshire, farmer, Jan. 25 at 10, County Court of Pembrokeshire, at Haverfordwest.—**Jonathan Perkins**, Crediton, Devonshire, blacksmith, Feb. 4 at 10, County Court of Devonshire, at Crediton.—**Abraham Lea**, Egremont, Cheshire, clerk to railway contractors, Jan. 22 at 11, County Court of Cheshire, at Birkenhead.—**Thomas Curtis**, Canterbury, Kent, tailor, Jan. 21 at 11, County Court of Kent, at Canterbury.—**James Parnell Attwood**, Whitstable, Kent, licensed brewer, Jan. 21 at 11, County Court of Kent, at Canterbury.—**Edward Arnold**, Plymouth, Devonshire, builder, Feb. 14 at 11, County Court of Devonshire, at Plymouth.—**Wm. Dickson**, Leamington Priory, Warwickshire, hosier, Jan. 30 at 11, County Court of Warwickshire, at Warwick.—**William Bees**, Sneinton, Nottinghamshire, out of business, Feb. 7 at 9, County Court of Nottinghamshire, at Nottingham.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 26 at 11, before Mr. Commissioner PHILLIPS.

Philip Le Capelain, Chancery-lane, London, civil engineer.

Jan. 28 at 10, before Mr. Commissioner LAW.

Robert Spooner, Triangle-place, Clapham, Surrey, driver of an omnibus.

Jan. 28 at 11, before Mr. Commissioner PHILLIPS.

Wm. Courtney, Randall-street, Poplar New-town, Middlesex, omnibus driver.—Robert Bygrave, Watford, Hertfordshire, tailor.—James Knight, Hunter-street, Old Kent-road, Surrey, chemist.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 25 at 11, before Mr. Commissioner HARRIS.

Henry Joyce Newark, Richmond, Surrey, dealer in railway shares.—Geo. Fowler, Downie-cottages, St. John's-wood, Middlesex, out of business.—Sarah Ann Sharp, Melville-place, Well-street, Hackney, Middlesex, baker.—John Mark the younger, Chapman-place, Great Dover-road, Borough, and Webber-street, Blackfriars-road, Surrey, baker.—John H. Clark, South-street, Greenwich, Kent, commission agent.

Jan. 25 at 10, before Mr. Commissioner LAW.

Saml. Spooner, Camberwell-lane, Brixton, Surrey, licensed retailer of beer.

Jan. 26 at 11, before Mr. Commissioner PHILLIPS.

Michael B. Hart, Aldersgate-street, and Westmoreland-buildings, London, boarding-house keeper.

Jan. 28 at 11, before the CHIEF COMMISSIONER.

Edward Bigg, Charles-street, Westminster, Middlesex, not in any business.—Thomas Dove, Old-street, Goswell-street, Middlesex, out of business.

Jan. 28 at 10, before Mr. Commissioner LAW.

George Crofts, Cheyne-row, Chelsea, Middlesex, assistant to a corn commission agent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, Jan. 28.

Thomas Nock, Handsworth, Staffordshire, coal dealer.

At the County Court of Sussex, at LEWES, Jan. 29 at 12.

Wm. Hart, Brighton, out of business.

At the County Court of Yorkshire, at YORK CASTLE, Jan. 26 at 10.

John Sutcliffe, Bradford, flour dealer.—William Smiles, Leeds, attorney's clerk.—J. Beaumont, Huddersfield, grocer.—Thomas Longbottom, Halifax, licensed retailer of beer.—J. Hope, Knottingley, near Ferrybridge, painter.—Rich. Noble, Almondbury, near Huddersfield, out of business.—Geo. May, Almondbury, near Huddersfield, out of business.—Wm. Edmondson, Eccleshill, near Bradford, out of business.—Wm. Actroyd, Bradford, out of business.—Robert Fisher, Sheffield, druggist.—Metcalf Beckwith, Brechin Ridge, by Pateley-bridge, near Ripon, farmer.—John Winter, Huddersfield, out of business.—Wm. Harrison, Otley, out of business.—James Fearley, Eccleshill, near Bradford, out of business.—John Denbigh, Bradford, woolsorter.—Richard Bonser, Sheffield, out of business.—John Eastwood, Skelmanthorpe, near Huddersfield, innkeeper.—E. A. N. Rose, East Cowton, near Catterick, pig jobber.—Thomas Bonnard, Thornton, near Pocklington, corn miller.

INSOLVENT DEBTOR'S DIVIDEND.

James Allen, Market Harborough, tailor, Jan. 12, at Hill & Mathews', 1, Bury-court, St. Mary-axe, London: 4s. 3d. in the pound.

MEETINGS.

Thomas Holmes, Bootle-road, near Liverpool, joiner, Jan. 31 at 11, at Dodge's, Liverpool, sp. aff.

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The Jurist

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* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

House of Lords	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Queen's Bench { G. J. P. SMITH, Esq. of the Inner Temple; and
Privy Council	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	W. B. BRETT, Esq. of Lincoln's Inn, Barristers at Law.
The Lord Chancellor's Court	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Queen's Bench Hall Court { H. PELLY HINDE, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court {	G. Y. ROBSON, Esq. of the Inner Temple, Barrister at Law.	Court of Common Pleas, including Appeals under Registration of Voters Act.... { W. PATERSON, Esq. of Gray's Inn; and
Vice-Chancellor of England's Court	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	J. R. BULWER, Esq. of the Inner Temple, Barristers at Law.
Vice-Chancellor Knight Bruce's Court..... {	W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.	Court of Exchequer { W. M. BEST, Esq. of Gray's Inn, Barrister at Law.
Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Ecclesiastical and Admiralty Courts { J. P. DEANE, D.C.L. of Doctors' Commons.
		Cases in Bankruptcy.... { W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.
		Crown Cases Reserved.. { ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, JANUARY 19, 1850.

AN application was made on the 13th inst. to the Court of Queen's Bench, of, as it appears to us, a very unusual kind; we allude to the application for a writ of habeas corpus on the part of Mr. Dimes, the defendant in the cause, in Chancery, of *The Grand Junction Canal Company v. Dimes*.

We take the statement of the case as it is reported to have been made by the learned counsel for the applicant.

The affidavit on which the application was made stated, "that Mr. Dimes had brought an action of ejectment against the committee of the proprietors of the Grand Junction Canal, in which action he recovered judgment, and was put into possession of part of that canal under the judgment. A negotiation was then entered into between Mr. Dimes and a solicitor acting on the part of the company, and a certain price was unconditionally agreed to be paid by the company in respect of Mr. Dimes's interest in that portion of the canal. The company then refused to be bound by that agreement, and made another offer; and in 1838 they exhibited a bill in the High Court of Chancery, addressed to Lord Cottenham, (then Lord Chancellor), for an injunction to restrain Mr. Dimes from stopping, impeding, or obstructing the passage of boats, barges, and vessels on the canal, or in any way obstructing the navigation thereof. On this bill, and an ex parte application, an injunction was granted. On the 6th July, 1839, the injunction was continued by an order of the Vice-Chancellor. Upon this order of the Vice-Chancellor, Mr. Dimes, being in ignorance that the Lord Chancellor had any interest in the matter, appealed to the Lord Chancellor, as being contrary to

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law. The Lord Chancellor, however, confirmed the order of the Vice-Chancellor, with some slight variations in the terms of the injunction; and, in pursuance of the last order of the Lord Chancellor, an injunction was issued, by which Mr. Dimes and his servants were enjoined, under a penalty of 5000*l.*, from impeding or obstructing the passage of any boats, barges, or other vessels upon the Grand Junction Canal, or obstructing or damaging the canal or towing-path. At the time when the said order was made, Charles Christopher, Baron Cottenham, Lord Chancellor, was a proprietor and shareholder in the canal, and a member of the company, to the extent of holding seventeen shares as sole proprietor, and twenty-five shares as joint proprietor with another, each of the shares being of the value of 100*l.*, and at a premium of cent. per cent. The affidavit then stated, that, at the time when the bill was filed and the injunction was granted, the Lord Chancellor had considerable interest in restraining the applicant from doing any such acts as those forbidden; but that, up to the middle of the year 1848, Mr. Dimes was ignorant of the Lord Chancellor's interest. From that time, when, by the courtesy of the Lord Chancellor, Mr. Dimes was informed of his (the Lord Chancellor's) interest, he had endeavoured to find an impartial Court to determine his cause, but had failed in that endeavour. Under these circumstances, Mr. Dimes, believing the order of the Lord Chancellor to be void, but without intending any contempt, violated the order. The company then applied to the Vice-Chancellor, and the deponent was committed to the Queen's Prison by the order and under the warrant of the Lord High Chancellor, where he is now imprisoned under such warrant, and no other."

Now, what we apprehend is singular in this case is,

not, of course, the mere application for a writ, if the facts were not known, but the application on the supposition that a Court of law can, or at least will, deal with the case substantially—that is, with the question whether Mr. Dimes ought to be liberated or not*. No doubt the writ is obtainable in reference to a commitment by any authority; but the real question that the Court of Queen's Bench will be asked to determine is, whether the decretal order made by the Lord Chancellor, restraining Mr. Dimes from doing the acts specified in the injunction, was valid and proper: for nothing can be clearer than that, if that order was a valid and proper order, the Lord Chancellor had authority to commit Mr. Dimes for a breach of it, which was a contempt of Court—the mode of enforcing an order of the Court, or of punishing contempt of its order, being, according to its long-settled practice, the committal of the party guilty of the contempt. The committal could, therefore, only be unlawful if there was no order, or no valid order, for an injunction. Now, has a Court of law jurisdiction, or, which comes to the same, has it ever exercised or will it exercise jurisdiction, to determine on the validity of a decree or decretal order made by the Court of Chancery?

We have always conceived, that, if there is any rule of jurisdiction that may be called well settled, it is, that no Court will directly question the validity of the order of another Court of superior or equal jurisdiction. To this rule the Court of Chancery strictly adheres, in the exercise even of its extraordinary jurisdiction of restraining proceedings in other courts by injunction, in doing which, it never assumes to question the legal validity of any order of another Court, but only to question the equitable right of a party to avail himself of it. But in the case brought, or possibly to be brought, before the Court of Queen's Bench, the Court will not be asked whether, admitting the validity of the Chancellor's injunction, the Grand Junction Canal Company can be in any manner prevented by a Court of law from using it, but it will be asked to discharge Mr. Dimes out of custody, on the ground that his commitment by the Chancellor was unlawful; the lawfulness, or, in other words, the validity of the injunction, must therefore be the direct subject of inquiry. We apprehend a Court of law has no jurisdiction to make such an inquiry; but, if it had the jurisdiction, technically speaking, has it the means of prosecuting the inquiry? The principles on which injunctions are granted are purely equitable; they are, we conceive, judicially known only to the equity judges; indeed, the Courts of law have specifically repudiated the possession of the jurisdiction to grant them; and how can they have judicial knowledge of a law which they say they have no jurisdiction to carry into effect?

To ascertain whether the Chancellor's injunction was valid, the Court of Queen's Bench would require to hear the motion for it re-argued; in other words, to rehear it, by way of appeal from the Chancellor. But then it is

* Since these observations were written and printed, the Court of Queen's Bench has heard argument on the return to the writ, which was so framed as not to bring the real question before the Court. Possibly an attempt may yet be made to do so; and the foregoing observations are therefore still applicable.

said, that the injunction was irregular, or rather a nullity, not by reason of anything irregular on the face of it, or in the proceedings themselves, but because they were *coram non iudice*; because the Chancellor was rendered *incapable* by interest of hearing the motion; and because the bill was not regularly preferred, as it ought to have been, not to the Chancellor, but to the Queen. But these questions are also questions of which, we apprehend, in a Chancery suit, the Chancellor, and the appellate Court to which there is regularly an appeal from the Chancellor, viz. the House of Lords, are the sole judges; for whatever may be the rule in courts of law as to the degree of incapacity conferred on a judge by interest, or as to the authority to which a complaint, which would lie to that judge if not interested, ought to be made if he is interested, it does not follow that the same rule prevails in courts of equity; and the judges of the common law, in deciding these questions, would be, in effect, deciding what are the procedure and practice of Courts of equity—a subject on which, we conceive, they can have judicially no knowledge.

We await, with some curiosity, the sequel of the application in question, which, we confess, appears to us simply an attempt to appeal from the Lord Chancellor to the Court of Queen's Bench, instead of appealing to the regular Court of appeal from the Chancery, which is the House of Lords.

London Gazette.

TUESDAY, JANUARY 15.

BANKRUPTS.

- WILLIAM LEE, King's-mills-wharf, Rotherhithe, Surrey, bargebuilder, dealer and chapman, Jan. 24 at 1, and Feb. 28 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Chester, 144, Blackfriars-road.—Petition dated Jan. 11.
- JONATHAN PAYNE, Milton-street, Dorset-square, Middlesex, livery-stable keeper, and dealer in horses, dealer and chapman, Jan. 22 at 2, and Feb. 26 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Faller, 85, Hatton-garden.—Petition filed Jan. 12.
- BENJAMIN RAWLINGS, Queen's-row, Pimlico, Middlesex, linendraper, dealer and chapman, Jan. 22 at 12, and Feb. 21 at 1, Court of Bankruptcy, London: Off. Ass. Ball; Sol. Parker, St. Paul's-churchyard.—Petition dated Jan. 11.
- JOHN MORRISH, Tiverton, Devonshire, cooper, dealer and chapman, Jan. 24 at 1, and Feb. 20 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sol. Stogdon, Exeter.—Petition filed Jan. 7.
- JOHN EDWARD TODHUNTER, Darlington, Durham, bookseller, printer, and stationer, dealer and chapman, Jan. 29 at 12, and Feb. 21 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Allison, Darlington; Harle, Newcastle-upon-Tyne, and 20, Southampton-buildings, Chancery-lane, London.—Petition filed Jan. 10.
- JOHN CHARLES NORTH, Stamford, Lincolnshire, coal dealer, Jan. 25 and March 1 at 1, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Wratialaw, Rugby.—Petition dated Jan. 2.
- VINCENT COOKE, Worcester, cabinet maker, upholsterer, and furniture dealer, dealer and chapman, Jan. 29 and Feb. 26 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Reese, Birmingham.—Petition dated Jan. 11.
- WILLIAM DRABBS, Askern, Yorkshire, innkeeper, Jan. 29 and Feb. 18 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Palmer, Doncaster; Payne & Co., Leeds.—Petition dated Jan. 14.

JOHN MUCKLESTON the younger, Shrewsbury, Shropshire, grocer, dealer and chapman, Jan. 25 and Feb. 20 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Brittan & Sons, Bristol; Wright, Birmingham.—Petition dated Dec. 26.

GEORGE OLNEY, Liverpool, passenger broker, merchant, dealer and chapman, (carrying on business under the style of George Olney and Company), Jan. 28 at 12, and Feb. 19 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sols. Evans & Son, Liverpool.—Petition dated Jan. 5.

HENRY SUTCLIFFE and **JOSEPH WILLIAM HARRIS**, Rochdale, Lancashire, cotton spinners and manufacturers, (carrying on business at Bank's-mill, Dule's-gate, near Todmorden, Lancashire, under the name of Thomas Hill), Jan. 26 and Feb. 15 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Sutton, Manchester.—Petition filed Jan. 10.

MEETINGS.

William Patrick, Farnham, Surrey, builder, Jan. 26 at 1, Court of Bankruptcy, London, last ex.—**James Alexander**, Great Winchester-street, London, merchant, Feb. 7 at 11, Court of Bankruptcy, London, last ex. and div.—**William Oakes**, Oldham, Lancashire, clockmaker, Jan. 28 at 12, District Court of Bankruptcy, Manchester, aud. ac.—**J. Womersley**, Manningham, near Bradford, and **Wm. Womersley**, Clayton, near Bradford, Yorkshire, stone merchants, Jan. 28 at 11, District Court of Bankruptcy, Leeds, aud. ac.—**James Reid**, Edgeware-road, Middlesex, and **Bexley-beath**, Woolwich, Rochester, Chatham, and Maidstone, Kent, draper, Feb. 8 at 11, Court of Bankruptcy, London, div.—**William Woods** and **Samuel Thomas**, Cheapside, London, wholesale hardwaremen, Feb. 5 at half-past 11, Court of Bankruptcy, London, div.—**Robert Worters**, Melford, Suffolk, maltster, Feb. 1 at 12, Court of Bankruptcy, London, fin. div.—**Edward Mumford**, Great Maplestead, Essex, miller, Feb. 1 at 11, Court of Bankruptcy, London, div.—**Alex. Rainey**, Regent-street, Piccadilly, Middlesex, estate agent, Feb. 1 at 12, Court of Bankruptcy, London, div.—**Francis Adamson**, Bond-court, Walbrook, London, merchant, Feb. 1 at 11, Court of Bankruptcy, London, div.—**Wm. Minton**, Liverpool, linendraper, Feb. 1 at half-past 12, Court of Bankruptcy, London, div.—**James Bickerton** the younger, Bread-street, Cheapside, London, hat manufacturer, Feb. 7 at 1, Court of Bankruptcy, London, div.—**Alfred Morecraft**, Marlborough, Wiltshire, draper, Feb. 7 at 2, Court of Bankruptcy, London, div.—**Joseph Flemming**, Salters'-hall-court, Cammen-street, London, printer, Feb. 7 at 12, Court of Bankruptcy, London, div.—**Alexander McNaughton Paterson**, **John Walker**, **James Boydell**, and **Chas. B. T. Roper**, Old Farm-works, Kingswinford, Staffordshire, ironfounders, Feb. 2 at 11, District Court of Bankruptcy, Birmingham, aud. ac.; Feb. 16 at 11, div.—**Sarah Ross** and **Timothy Ross**, Leicester, hosiers, Feb. 8 at 12, District Court of Bankruptcy, Nottingham, div.—**L. Thompson**, West Bromwich, Staffordshire, coach-spring maker, Feb. 7 at 12, District Court of Bankruptcy, Birmingham, div.—**Wm. Eccles**, Walton-le-Dale, Lancashire, cotton spinner, Feb. 8 at 11, District Court of Bankruptcy, Manchester, div.—**Wm. Clayton**, Langcliffe, Yorkshire, **Wm. Clayton**, Lostock, Walton-le-Dale, and **Wm. Wilson**, Preston, Lancashire, bankers, Feb. 8 at 12, District Court of Bankruptcy, Manchester, fin. div. sep. est. of **Wm. Clayton**, of Langcliffe.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Tukey, Willow-walk, Surrey, builder, Feb. 6 at 11, Court of Bankruptcy, London.—**L. P. Capua**, Duke's-place, Aldgate, London, fruit merchant, Feb. 6 at 12, Court of Bankruptcy, London.—**Cornelius Bray**, Landport, Portsea, Southampton, trader, Feb. 7 at half-past 1, Court of Bankruptcy, London.—**Paul Millard**, Steeple Ashton, Wiltshire, grocer, Feb. 7 at 11, District Court of Bankruptcy, Bristol.—**Edworthy Tapsen**, Cardiff, Glamorganshire, coal agent, Feb. 6 at 12, District Court of Bankruptcy, Bristol.—**Rich. John Hicks**, West Derby, near Liverpool, horse dealer, Feb. 7 at 11, District Court of Bankruptcy, Liverpool.—**George Chapman**, the Old Swan, near Liverpool, victualler, Feb. 7 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

John M. Levine and **Mark Levison**, Norwich, jewellers.—**John B. Elworthy**, Bridgewater, Somersetshire, draper.—**J. Elliott**, East Ham, Essex, cattle dealer.—**William Fortescue**, Woolwich, Kent, baker.—**James Knight**, Ipswich, Suffolk, licensed victualler.—**John M. Gardner**, Bristol, draper.—**John Evans**, Gilbert-street, Oxford-street, Middlesex, wine merchant.—**Edward Brien**, Bristol, cabinet maker.—**Jas. Carter**, Bristol, victualler.—**George Sedgwick**, Moorgate-street, London, stationer.—**Peter Healey**, Birmingham, factor.—**J. W. Gowing**, East Dereham, Norfolk, stationer.—**John Roberts**, Kidderminster, Worcestershire, clothier.

SCOTCH SEQUESTRATIONS.

John Todd & Son, Glasgow, blacksmiths.—**Wm. Baird**, Glasgow, baker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Gibson, Beverley, Yorkshire, wheelwright, Jan. 21 at 11, County Court of Yorkshire, at Beverley.—**J. Hurd**, Cocker-mouth, Cumberland, tinman, Jan. 31 at half-past 9, County Court of Cumberland, at Cocker-mouth.—**William Lincoln**, Deeping St. James, Lincolnshire, market gardener, Feb. 5 at 12, County Court of Lincolnshire, at Bourne.—**Arthur Motley**, Loughor, Glamorganshire, agent to the Spitty Copper Company, Jan. 31 at 11, County Court of Carmarthenshire, at Llanelly.—**George Holden**, Mold-green, Dalton, Kirkheaton, Yorkshire, clogger, Feb. 15 at 10, County Court of Yorkshire, at Huddersfield.—**Walter Carter**, Bristol, commission agent, Jan. 30 at 11, County Court of Gloucestershire, at Bristol.—**John Edwards**, Hanley, Staffordshire, bricklayer, Jan. 25 at 10, County Court of Staffordshire, at Hanley.—**John Carr**, Woodbridge, Suffolk, baker, Jan. 24 at 1, County Court of Suffolk, at Woodbridge.—**John Batchelor**, Rotherham, Yorkshire, shepherd, Feb. 1 at 12, County Court of Yorkshire, at Rotherham.—**John Uswin** the younger, Skelton, Staffordshire, cabinet maker, Jan. 25 at 10, County Court of Staffordshire, at Hanley.—**J. Betteley**, Shelton, Staffordshire, appraiser, Jan. 25 at 10, County Court of Staffordshire, at Hanley.—**Edmund Pepper**, Dover, Kent, butcher, Jan. 24 at 10, County Court of Kent, at Dover.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 29 at 11, before Mr. Commissioner HARRIS.

John Lucas, Bridgewater-st., Clarendon-square, Somerset-town, Middlesex, labourer.—**Thomas Arnold**, Clarence-place, George-street, Albany-road, Camberwell, Surrey, baker.—**James Gifford**, Alpha-road, Elm Tree-road, Regent's-park, Middlesex, lodging-house keeper.

Jan. 30 at 11, before the CHIEF COMMISSIONER.

Francis Maude Galloway, Verulam-terrace, Hammersmith, Middlesex, attorney's clerk.—**Wm. Clark**, King-st., Camden-town, Middlesex, tailor.—**Mary Crossen**, Hope-cottage, George-st., New-town, Deptford, Kent, and London-road, Southwark, Surrey, dairywoman.

Jan. 30 at 10, before Mr. Commissioner LAW.

John Willson, Park-st., Borough-market, Surrey, tobacconist.

Jan. 31 at 11, before the CHIEF COMMISSIONER.

John Bartlett, Belvidere, Cambridge-road, Bethnal-green, Middlesex, broker.

Saturday, Jan. 12.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

Robert Snell, Penryn, Cornwall, lieutenant in the Navy, No. 50,191 T.; **Samuel Sturgis**, gentlemen, new assignee, in place of Robert White, removed.—**John Robinson**, Houghton-le-Spring, Durham, publican, No. 69,544 C.; **Robert Carrick**

and Richard Addison, assignees.—*Thomas Lloyd*, Wamfawr, Llanfynydd, Carmarthenshire, labourer, No. 71,494 C.; *D. Davies*, assignee.—*Hannah Cooper*, Birstall, near Leeds, Yorkshire, inkkeeper, No. 71,780 C.; *Wm. Walker*, assignee.—*Henry Berry*, Lewes, Sussex, painter, No. 71,806 C.; *Benoni Rusbridge Frank* and *Jos. Isard*, assignees.—*Sidney Stott*, Mirfield, Yorkshire, waterman, No. 71,820 C.; *Wm. Peaker*, assignee.

Saturday, Jan. 12.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Benjamin Bayly, Albany-road, Camberwell, Surrey, school-master: in the Gaol of Horsemonger-lane.—*Thos. Halstead*, Nelson-street, Hackney-road, Middlesex, sailmaker: in the Debtors Prison for London and Middlesex.—*William Port Hallows*, Bedford-place, Southwark-bridge-road, Surrey, licensed victualler: in the Queen's Prison.—*Charles N. Elston*, Arbour-square, Stepney, Middlesex, sub-contractor: in the Queen's Prison.—*Solomon Marks*, Houndsditch, London, carver: in the Debtors Prison for London and Middlesex.—*George Chonoles*, High-st., Marylebone, Middlesex, upholsterer: in the Debtors Prison for London and Middlesex.—*W. Beadell*, Leather-lane, Holborn, Middlesex, marine store dealer: in the Debtors Prison for London and Middlesex.—*Wm. C. Fenn*, High-st., Edgeware, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*James Killingback*, Tottenham-rd., Kingsland, Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*George Forster*, Birkenhead, Cheshire, bookkeeper: in the Gaol of Chester.—*Wm. Hallett*, Fairfield, near Buxton, Derbyshire, accountant: in the Gaol of Chester.—*John Heywood*, Fernisowles, near Blackburn, Lancashire, quarryman: in the Gaol of Lancaster.—*Wm. Lowrie*, Liverpool, railway clerk: in the Gaol of Lancaster.—*Edward H. Taylor*, Over Darwen, Withnell, Lancashire, quarryman: in the Gaol of Lancaster.—*Evan Davies*, Tirbach, Llangwnlle, Cardiganshire: in the Gaol of Cardigan.—*Terrance Fearn*, Thornley Brow, Shudehill, Manchester, fruit dealer: in the Gaol of Lancaster.—*Edward Shackell*, Guildhall-sq., Carmarthenshire, bookseller: in the Gaol of Carmarthen.—*James Dunn*, Ilminster, Somersetshire, plumber: in the Gaol of Wilton.—*Henry Hodson*, Ashton-under-Lyne, Lancashire, licensed victualler: in the Gaol of Lancaster.—*William Lambert*, Bywell, St. Peter, Northumberland, farmer: in the Gaol of Morpeth.—*John B. Smith*, Dartmouth, Devonshire, attorney at law: in the Gaol of St. Thomas the Apostle.—*Patrick Byrne*, Liverpool, provision dealer: in the Gaol of Lancaster.—*Thomas Griffiths*, Liverpool, builder: in the Gaol of Lancaster.—*Jas. Knowles*, Bootle, near Liverpool, labourer: in the Gaol of Lancaster.—*John Oliver*, Walbottle, Northumberland, banker: in the Gaol of Morpeth.—*Wm. Taylor*, Liverpool, cart driver: in the Gaol of Lancaster.—*W. White*, South Shields, Durham, out of business: in the Gaol of Durham.—*Thomas Bloomfield*, Colchester, Essex, shipowner: in the Gaol of Colchester.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 29 at 10, before Mr. Commissioner LAW.

Richard P. Fletcher, Gurway-road, Westbourne-grove, Bayswater, Middlesex, not following any calling.

Jan. 31 at 11, before the CHIEF COMMISSIONER.

James Thomson Wilson, Coborn-st., Bow-road, Middlesex, manager to a chemical manufacturer.—*W. Morgan* the elder, Charterhouse-sq., Middlesex, tailor.

Jan. 31 at 10, before Mr. Commissioner LAW.

Thos. Richards, Brewer-st. North, Goswell-road, Middlesex, tin-plate worker.—*James B. Moxey*, Crown-st., Wyndham-road, Camberwell, Surrey, baker.

Jan. 31 at 11, before Mr. Commissioner PHILLIPS.

John Benstead, King's-row, St. John's, Southwark, Surrey, out of business.—*John Carter*, King-st., Seven-dials, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, Jan. 28.

Charles Ryland, Birmingham, out of business.

At the County Court of Essex, at COLCHESTER, Jan. 30 at 12.

Thomas Bloomfield, Colchester, shipowner.

FRIDAY, JANUARY 18.

BANKRUPTS.

EDWARD DIXON, Gravesend, Kent, oil and colour man, dealer and chapman, Jan. 24 at half-past 1, and Feb. 28 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Wilkinson & Co., 2, Nicholas-lane, Lombard-st.—Petition dated Jan. 12.

SAMUEL SUTTON, Old Bailey, London, hardwareman and jeweller, (surviving partner of Joseph Sutton, of the Old Bailey), Jan. 25 at 11, and Feb. 28 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Peddell, 142, Cheapside.—Petition dated Jan. 9.

GEORGE STONE, Colchester, Essex, grocer and tea dealer, Jan. 30 at 1, and March 1 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Abell, Colchester; Bull, Ely-place, London.—Petition dated Jan. 15.

NELSON JOHN HOLLOWAY, Minories, London, clock manufacturer, dealer and chapman, Jan. 26 at half-past 12, and March 2 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Linklaters, 1, Charlotte-row, Mansion-house, London.—Petition dated Jan. 17.

JOHN SEWELL GOWING, Swaffham, Norfolk, bookseller, stationer, dealer and chapman, Jan. 26 and Feb. 23 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Drake, Dereham; Stretton, 18, Southampton-buildings, Chancery-lane.—Petition dated Jan. 3.

CHARLES WOOD, Ditcheling, Sussex, butcher and tallow chandler, dealer and chapman, Feb. 1 at 2, and March 1 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Auckland, Cliffe, Lewes, Sussex; Palmer & Co., 24, Bedford-row.—Petition filed Jan. 7.

BENJAMIN JEFFERIES, Worcester, boat builder, Jan. 24 and Feb. 26 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Bedford & Pidcock, Worcester; Smith & James, Birmingham.—Petition dated Jan. 5.

JESSE HITTON and **JONATHAN FISHER**, Foleshill, Warwickshire, silk manufacturers, dealers and chapmen, Jan. 29 and Feb. 26 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Jackson, Coventry; Motteram & Co., Birmingham.—Petition dated Jan. 2.

EDWARD BRATTAN, Northwich, Cheshire, cabinet maker and upholsterer, Jan. 28 at 12, and Feb. 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Holland & Green, Northwich, Cheshire.—Petition dated Jan. 14.

JOHN EDWARDS, Manchester, manufacturer, Feb. 1 and 28 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Clay & Co., Manchester.—Petition filed Jan. 14.

MEETINGS.

George Rougemont, Broad-street-buildings, London, merchant, Feb. 11 at 1, Court of Bankruptcy, London, pr. d.—*Ann Drew*, Portugal-street, Lincoln's-inn-fields, Middlesex, stationer, Jan. 29 at half-past 1, Court of Bankruptcy, London, ch. ass.—*Walter Holmes*, Plymouth, Devonshire, baker, March 14 at 11, Hall of Commerce, Plymouth, last ex.—*Henry Rogers*, Sheffield, Yorkshire, victualler, Feb. 9 at 12, District Court of Bankruptcy, Sheffield, last ex.—*Martin L. Pritchard* and *Robert Norris Dale*, Liverpool, stockbrokers, Jan. 31 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Edward Heather*, Crawford-st., Marylebone, Middlesex, straw-hat maker, Jan. 31 at 1, Court of Bankruptcy, London, aud. ac.—*Thos. Parfrement*, King-st., Holborn, Middlesex, bootmaker, Jan. 31 at 1, Court of Bankruptcy, London, aud. ac.—*J. Pavis*, Three Colt-st., Limehouse, Middlesex, licensed victualler, Feb. 1 at half-past 1, Court of Bankruptcy, London,

and ac.—*David N. Fisher*, Lynn Regis, Norfolk, music seller, Feb. 1 at 1, Court of Bankruptcy, London, and ac.—*Edw. Archer*, Clare-st., Clare-market, Middlesex, baker, Jan. 31 at 11, Court of Bankruptcy, London, and ac.—*Key Dinsdale*, Oxford-st., Middlesex, saddler, Jan. 31 at half-past 1, Court of Bankruptcy, London, and ac.—*Joseph Flemming*, Salters-hall-court, Cannon-st., London, printer, Feb. 7 at 12, Court of Bankruptcy, London, and ac.—*Thos. Marshall*, Hatfield-st., Christchurch, Surrey, licensed victualler, Feb. 7 at 11, Court of Bankruptcy, London, and ac.—*Robt. Howe Gould*, Strand, Middlesex, ice merchant, Feb. 19 at 1, Court of Bankruptcy, London, and ac.—*Edward Mumford*, Maplestead, Essex, miller, Feb. 1 at 11, Court of Bankruptcy, London, and ac.—*Richard Knight*, Croydon, Surrey, licensed victualler, Feb. 1 at half-past 11, Court of Bankruptcy, London, and ac.—*Elizabeth West* and *Alfred Harry West*, Adelaide-st., Strand, Middlesex, tailors, Feb. 1 at half-past 11, Court of Bankruptcy, London, and ac.—*Henry Search*, Lower-road, Rotherhithe, Surrey, carpenter, Feb. 1 at half-past 11, Court of Bankruptcy, London, and ac.—*Ed. Snow*, Nottingham, draper, Feb. 1 at 11, District Court of Bankruptcy, Nottingham, and ac.—*Alex. McNaughtane Paterson*, *John Walker*, *James Boydell*, and *Charles Blayney Trevor Roper*, Kingswinford, Staffordshire, ironfounders, Feb. 18 at 11, District Court of Bankruptcy, Birmingham, and ac.—*Leonard Thompson*, West Bromwich, Staffordshire, coach-spring maker, Jan. 29 at 12, District Court of Bankruptcy, Birmingham, and ac.—*James Hensor*, Hanley, Staffordshire, hop merchant, Jan. 29 at 12, District Court of Bankruptcy, Birmingham, and ac.—*Edward Yates*, Leeds, Yorkshire, veterinary surgeon, Jan. 29 at 11, District Court of Bankruptcy, Leeds, and ac.—*George Hinchcliffe*, Pudsey, Leeds, Yorkshire, cloth manufacturer, Feb. 7 at 11, District Court of Bankruptcy, Leeds, and ac.—*Hannah Maria Newton*, New Mill, Foolstone, Kirkburton, Yorkshire, victualler, Feb. 7 at 11, District Court of Bankruptcy, Leeds, and ac.—*James Kevil* the younger, Bristol, draper, Feb. 8 at 11, District Court of Bankruptcy, Bristol, and ac.; Feb. 11 at 11, div.—*Philip Perry*, Langrwyney, Llangening, Breconshire, victualler, Feb. 15 at 11, District Court of Bankruptcy, Bristol, and ac.—*Thomas Law* the younger, Rochdale, Lancashire, corn miller, Jan. 31 at 11, District Court of Bankruptcy, Manchester, and ac.—*Wm. Eccles*, Walton-le-Dale, Lancashire, cotton spinner, Feb. 7 at 11, District Court of Bankruptcy, Manchester, and ac.—*Wm. Clayton*, Langcliffe, Yorkshire, *Wm. Clayton*, Lostock, Walton-le-Dale, Lancashire, and *Wm. Wilson*, Preston, Lancashire, bankers, Feb. 7 at 12, District Court of Bankruptcy, Manchester, and ac. sep. est. of *Wm. Clayton* of Langcliffe.—*Wm. Beamer*, West Derby, Lancashire, joiner, Jan. 30 at 11, District Court of Bankruptcy, Liverpool, and ac.; Feb. 12 at 11, div.—*C. Davies*, Liverpool, bookseller, Jan. 30 at 11, District Court of Bankruptcy, Liverpool, and ac.; Feb. 12 at 11, div.—*Ed. Swanwick Boulton* and *Thos. Addison*, Liverpool, sharebrokers, Jan. 30 at 11, District Court of Bankruptcy, Liverpool, and ac. sep. est. of *Ed. Swanwick Boulton*.—*Nicholas Butler*, Portea-place, Edgware-road, Middlesex, wholesale stationer, Feb. 8 at half-past 11, Court of Bankruptcy, London, div.—*J. Spalding*, Cambridge, brazier, Feb. 8 at 12, Court of Bankruptcy, London, div.—*Robert Frederick Gower* the younger, New Broad-st., London, and Valparaiso, Republic of Chili, merchant, Feb. 8 at half-past 1, Court of Bankruptcy, London, div.—*James Robertson Fryer*, Little Love-lane, Woodstreet, London, stay manufacturer, Feb. 11 at half-past 11, Court of Bankruptcy, London, div.—*John Parrish*, Canterbury, Kent, draper, Feb. 8 at 11, Court of Bankruptcy, London, fin. div.—*James Rowland Hyde Withers*, Bristol, linen-draper, Feb. 9 at half-past 11, Court of Bankruptcy, London, div.—*Wm. Robinson*, Manchester, commission agent, Feb. 8 at 11, Court of Bankruptcy, London, div.—*Richard West*, Fleet-st., London, medicine vendor, Feb. 15 at 1, Court of Bankruptcy, London, fin. div.—*Francis Garland*, North Shields, Northumberland, tailor, Feb. 15 at 2, Court of Bankruptcy, London, div.—*Wm. Buddle*, Irongate-wharf, Paddington, Middlesex, timber merchant and saw-mill proprietor, Feb. 12 at 1, Court of Bankruptcy, London, div.—*Walter Wilson*, Tavistock-place, Tavistock-square, Middlesex, apothecary, Feb. 12 at 12, Court of Bankruptcy, London, fin. div.—*John Womersley*, Manningham, near Bradford, and *Wm. Womersley*, Clayton, near Bradford, Yorkshire, stone merchants, Feb. 12 at 12, District Court of Bankruptcy, Leeds,

div.—*Edward Yates*, Leeds, Yorkshire, veterinary surgeon, Feb. 12 at 11, District Court of Bankruptcy, Leeds, div.—*John Davies* the younger, Llanelly, Carmarthenshire, linen-draper, Feb. 18 at 11, District Court of Bankruptcy, Bristol, div.—*Wm. Fear* and *Henry Coward*, Bath, upholsterers, Feb. 15 at 11, District Court of Bankruptcy, Bristol, div. sep. est. of *H. Coward*.—*John Sier*, Cheltenham, Gloucestershire, baker, Feb. 15 at 12, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James Sparrow, Oxford, draper, Feb. 12 at 12, Court of Bankruptcy, London.—*John Thompson*, Piccadilly, Middlesex, linendraper, Feb. 12 at 11, Court of Bankruptcy, London.—*Charles Yorks*, Cambridge, upholsterer, Feb. 11 at half-past 1, Court of Bankruptcy, London.—*James Newton*, Ashton-under-Lyne, Lancashire, innkeeper, Feb. 9 at 12, District Court of Bankruptcy, Manchester.—*Samuel Colville*, Liverpool, commission agent, Feb. 11 at 11, District Court of Bankruptcy, Liverpool.—*H. S. Bolt*, Plymouth, Devonshire, wine merchant, March 14 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Alexander Rowe, Plymouth, Devonshire, grocer.—*William Wilton*, Upper St. Martin's-lane, Middlesex, victualler.—*G. Roberts*, Tan-y-Clawdd, Denbighshire, coal master.—*Wm. Ponting*, Calne, Wiltshire, nurseryman.—*Wm. Rowett*, Liverpool, broker.—*Wm. Huskayne*, Liverpool, merchant.—*Abraham Davies*, Aston Park, Wem, Shropshire, coal merchant.—*W. H. Richardson*, Darlaston, Staffordshire, tube manufacturer.—*Thomas Powell*, Aston, near Birmingham, miller.—*Henry Girdlestone*, North Audley-street, Middlesex, apothecary.

FIATS ANNULLED.

Joseph Fox, North-street, Bethnal-green, and Victoria-grove, Victoria-park, Middlesex, timber merchant.—*Francis Teale*, Leyton, Essex, brewer.

PARTNERSHIP DISSOLVED.

Henry Sewell, *Robert B. Sewell*, *Wm. Norris*, and *Chas. Wyatt Estcourt*, Newport, Isle of Wight, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Alex. Cumming, Galaahills, merchant.—*R. Greenshields*, Lanark, innkeeper.—*Jas. Flockhart*, Alloa, grocer.—*Dugald Sinclair*, Inverary, innkeeper.—*William Baird*, Milngavie, wright.—*Alexander Mackay*, Fulteneytown, Wick, Caithness, leather merchant.—*James Boyd*, Inchyra, Perthshire, wood merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Brearley, Wadsworth, Halifax, Yorkshire, hair dresser, Jan. 29 at 10, County Court of Yorkshire, at Todmorden.—*George Phillips*, Reading, Berkshire, innkeeper, Feb. 11 at 12, County Court of Berkshire, at Reading.—*Thos. Mose* the elder, Deal, Kent, coach driver, Jan. 25 at 12, County Court of Kent, at Deal.—*George Beeson*, Leicester, out of business, Feb. 14 at 10, County Court of Leicestershire, at Leicester.—*W. Schofield*, Halifax, Yorkshire, joiner, Feb. 1 at 10, County Court of Yorkshire, at Halifax.—*Wm. Statham*, Rolleston, Staffordshire, beer-house keeper, Feb. 4 at 11, County Court of Staffordshire, at Burton-upon-Trent.—*John Ellis*, Mount Tabor, Ovenden, Halifax, Yorkshire, stone delver, Feb. 1 at 10, County Court of Yorkshire, at Halifax.—*Patrick Leonard*, Birmingham, tailor, Jan. 28 at 2, County Court of Warwickshire, at Birmingham.—*George Watts*, Birmingham, lodging-house keeper, Jan. 28 at 2, County Court of Warwickshire, at Birmingham.—*W. Parker*, Birmingham, retail brewer, Jan. 28 at 2, County Court of Warwickshire, at Birmingham.—*Richard Curtis*, Birmingham, grocer, Jan. 28 at 2, County Court of Warwickshire, at Birmingham.—*T. Turpin*, Clist, St. Lawrence, Devonshire, farmer, Feb. 9 at 10, County Court of Devonshire, at Exeter.—*Wm. Butler*, Birmingham, pearl button manufacturer, Jan. 28 at 2, County Court of Warwickshire, at Birmingham.—*Richard Hooper*, Bristol, cook, Feb. 20 at 11, County Court

of Gloucestershire, at Bristol.—*William Burnett*, Bristol, beer seller, Feb. 20 at 11, County Court of Gloucestershire, at Bristol.—*Robert Upton*, Bristol, butcher, March 6 at 11, County Court of Gloucestershire, at Bristol.—*James Flay*, Calne, Wiltshire, butcher, Feb. 6 at 11, County Court of Wiltshire, at Calne.—*James Ball*, Bristol, butcher, Feb. 13 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 2 at 11, before Mr. Commissioner PHILLIPS.

Thomas Clark, Iver Heath, Buckinghamshire, grocer.—*Thomas Washbourn* the elder, Bond-street, Chelsea, Middlesex, blacksmith.

Feb. 4 at 11, before Mr. Commissioner PHILLIPS.

Charles Samuel Whitbread Eicke, St. Mark's-road, Camberwell New-road, Surrey, clerk in the Money-office of the General Post-office.

Jan. 8, before Mr. Commissioner PHILLIPS.

John Fiske, Wildsworth, Lincolnshire, gentleman, (a person of unsound mind).

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 1 at 11, before Mr. Commissioner HARRIS.

Henry Trollope, Weston-terrace, Bermondsey, Surrey, assistant to a baker.—*Samuel John Campbell*, Jewin-crescent, London, not in any business.—*Thomas Charlton Richardson*, Henry-street, Old-street, St. Luke's, Middlesex, out of business.—*Wm. Odell*, Houghton Regis, Bedfordshire, whiting-maker.

Feb. 4 at 11, before the CHIEF COMMISSIONER.

Alexander Robert Field, Wood-street, London, out of business.—*Edmund Foster*, Houghton Regis, Bedfordshire, wheelwright.—*Benjamin Bayly*, Albany-road, Camberwell, Surrey, schoolmaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, Jan. 28 at 3.

William Webster, Cambridge, slater.—*Abraham Prime*, Chesterton, licensed victualler.

At the County Court of Lancashire, at LANCASTER, Feb. 1 at 11.

John Naylor, Manchester, grocer.—*Wm. Daniels*, Hulme, painter.—*Terrance Fearn*, Manchester, fruit dealer.—*George Ashton*, Denton, near Manchester, out of business.—*John Fielding*, New Earth, near Oldham, cotton waste cleaner.—*Robert Tanner*, Beases-o'-th'-Barn, near Manchester, out of business.—*Charles Tee*, Royton, near Oldham, provision-shop keeper.—*John Heywood*, Withnell, near Blackburn, quarryman.—*John Russell*, Hulme, Manchester, baker.—*John Meakin*, Salford, assistant to a common brewer.—*John Young*, Ulverstone, licensed hawk.—*Saml. Horrocks*, Stone Clough, Kersley, near Bolton-le-Moors, manager to a tar distiller.

INSOLVENT DEBTORS' DIVIDENDS.

Charles Forbes Christie, Upper John-street, Fitzroy-square, Middlesex, Captain 2nd Bombay European Regiment: 2s. 1½d. in the pound.—*Lewis Flatow*, Charles-street, Haymarket, Middlesex, surgeon chiropodist: 8s. 7½d. in the pound.—*John Miles Winnington*, Bridge-house-place, Newington-causeway, Surrey, Esq.: 20s. in the pound.—*Edw. Greenhow*, (deceased), Liverpool, landing waiter in the Customs: 4s. 1d. in the pound.—*Melville Shirreff*, Albany-road, Camberwell, Surrey, retired clerk in the Greenwich Out Pension-office: 1s. 3d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MINING.

Samuel Massey, Preston, Lancashire, ironmoulder, Feb. 5 at 10, at Pilkington & Walker's, Preston, sp. aff.

GRAY'S-INN, HILARY TERM, 1850.—A notice has been issued (with the sanction of the Benchers of Gray's-inn) to the effect, that there will be a Voluntary Examination for Honours in the Laws of Real Property, in the Hall of that Society, in Trinity Term, namely, on Thursday and Friday, the 23rd and 24th days of May next, commencing at ten o'clock A.M. on each day. All Students for the Bar, Members of any Inn of Court, will be qualified to attend and stand on the occasion. The names of the successful candidates alone will appear in the published class list, so that those who do not go in for Honours, or who do not succeed, will not suffer any prejudice. The gentleman who attains the first place in the list (being of merit not inadequate, in the opinion of the examiners, to entitle him to that distinction) will receive the Lecturer's Prize, consisting of a set of the Reports of Vesey, jun. (20 vols.)

COLONIAL LEGAL APPOINTMENTS.—Her Majesty has been pleased to make the following colonial legal appointments:—*Henry Samuel Chapman* and *Sidney Stephen*, Esqrs., to be Judges of the Supreme Court of the colony of New Zealand; *Joseph Michael O'Neill*, Esq., to be her Majesty's Advocate for the colony of Sierra Leone; *Algernon Montagu*, Esq., to be Stipendiary Magistrate for her Majesty's settlements in the Falkland Islands.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—*James Sidney Hargrove*, of York; *Thomas Waterhouse*, of Bilston, Staffordshire; *John Newbould*, of Sheffield; *Edward Brodribb Randall*, of Southampton; *Joseph Knight*, of Newcastle-under-Lyme, Staffordshire.

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LONDON, JANUARY 26, 1850.

WHETHER a party in a cause may discredit his own witness is a question which is not yet clearly determined. It is certain that general evidence of bad character is not admissible for such a purpose. After producing a witness, the party who calls him may not shew him to be of such a general bad character as would render him unworthy of credit. "This would enable him to destroy the witness if he spoke against him, and to make him a good witness if he spoke for him, with the means in his hand of destroying his credit if he spoke against him." (Bull. N. P. 297).

But if a witness state facts adverse to the interest of the party calling him, that party may call another witness to disprove those facts, as such facts are evidence in the cause; and the discredit of the witness in such case is not a direct, but only the incidental or collateral effect produced by the opposing testimony. (Bull. N. P. 297; *Alexander v. Gibson*, 2 Camp. 556; *Richardson v. Allan*, 2 Stark. 334; *Bradley v. Ricardo*, 8 Bing. 59; *Lowe v. Jolliffe*, 1 Bl. R. 365; *Pike v. Badmering*, 2 Str. 1096 a; *Friedlander v. The London Assurance Company*, 4 B. & Ad. 193).

The result of this contradiction, as to matters of fact, is to leave the whole evidence to the jury, who may adopt such part as appears to them worthy of credit.

The conflict of judicial opinion, however, has arisen with regard to the power of a party to contradict his own witness, who has given testimony against him, by shewing that the witness has formerly made a statement inconsistent with that which he now offers to the jury.

On the trial of Warren Hastings, the opinion of the judges was taken by the House of Lords on this

point, and it was in these terms:—"That where a witness, produced and examined in a criminal proceeding by a prosecutor, disclaims all knowledge of any matter so interrogated, it is not competent for such prosecutor to pursue such examination, by proposing a question containing the particulars of an answer supposed to have been made by such witness before a committee of the House of Commons, or in any other place, and by demanding of him whether the particulars so suggested were not the answers he had so made." (Journ. Dom. Proc., 10th April, 1788).

This decision, as Mr. Phillips observes, goes too far: there is express authority for a modification of the rule, at least to a certain extent, namely, to allow a party to propose such a question to the witness, and to receive his answer, although, if the answer is unfavourable, it may be held to be conclusive. (2 Ph. Ev. 452).

There are cases which appear to shew that depositions and answers in Chancery may be used by a party to contradict his own witness; but these may be supported upon the ground, that statements made upon oath in a judicial proceeding are of so solemn a nature, that they may fairly be adduced to counterbalance subsequent testimony by the same witness, upon his oath, in a subsequent judicial proceeding. (See *Rez v. Olroyd*, Russ. & R. C. C. 88; *Ewer v. Ambrose*, 3 B. & Cr. 749). They are certainly very different from the contradiction of a witness by another witness, called by the same party to depose to conversations and are not open to the same objections on the ground of collusion. Evidence, however, has been received of such statements. (*Bernasconi v. Fairbrother*, cited in *Wright v. Beckett*, 1 Man. & R. 414; *Dunn v. Aylett*, 2 Man. & R. 122). In *Wright v. Beckett* the judges differed in opinion on this subject; and on two other occasions

Feb. 5 at 11, before Mr. Commissioner HARRIS.

James Simpson, Freeland-street, Caledonian-road, Ialington, Middlesex, plasterer.—*John Scott*, Grosvenor-st., Millbank, and Horseferry-road, Middlesex, wheelwright.—*Eleanor M' Auliffe*, widow, Richmond, Surrey, teacher at a school.

Feb. 6 at 11, before the CHIEF COMMISSIONER.

Wm. Henry Howe, New Park-street, Southwark, Surrey, baker.—*Wm. Wooding*, London-place, London-fields, Hackney, Middlesex, builder.—*Thomas Kirby*, Featherstone-place, Turnham-green, Middlesex, omnibus proprietor.

Feb. 7 at 10, before Mr. Commissioner LAW.

James Matterface, King-street, Hammersmith, Middlesex, coachmaker.—*Thomas Mellett*, Portman-market, and Little Carlisle-street, Lisson-grove, Middlesex, poulterer.

Saturday, Jan. 19.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

A. H. M'Donald, Mortimer-street, Cavendish-square, Middlesex, out of business, No. 60,755 T.; *James Walker*, assignee.—*Richard Prince*, Henry-street, Portland-town, Middlesex, baker, No. 60,973 T.; *Richard Pitt*, assignee.—*G. W. D. Hay*, Great Portland-street, Oxford-street, Middlesex, lieutenant in the Artillery, No. 61,106 T.; *Allen Colyer* the younger, assignee.—*Thomas Bower*, Earl-street, Marylebone, Middlesex, gardener, No. 61,114 T.; *Saml. F. Langham*, assignee.—*Eliz. C. Parker*, Great Portland-street, Marylebone, Middlesex, dressmaker, No. 61,125 T.; *W. Bacon*, assignee.—*Caroline Horsman*, Davies-street, Berkeley-square, Middlesex, dressmaker, No. 61,126 T.; *Wm. Bacon*, assignee.—*Thomas Philpott*, Elizabeth-terrace, Hackney-road, Middlesex, carpenter, No. 61,159 T.; *E. F. S. Reader*, assignee.—*E. H. Powell*, Knaresborough, Yorkshire, attorney at law, No. 70,735 C.; *James Cass*, assignee.—*T. Johnson*, Stretton-upon-Dunsmore, Warwickshire, farmer, No. 71,210 C.; *W. F. Wratislaw*, assignee.—*John Crapp*, St. Columb Major, Cornwall, labourer, No. 71,542 C.; *Joseph Thomas Treffry*, assignee.—*Luke Milnes*, Dungeon Bottom, Lockwood, near Huddersfield, Yorkshire, shopkeeper, No. 71,555 C.; *George Shaw*, assignee.—*Joseph C. Parkes*, Bristol, ironmonger's shopman, No. 71,797 C.; *Benjamin Pain*, assignee.—*George Balls*, Stowmarket, Suffolk, tailor, No. 71,858 C.; *Jos. A. Lankester* and *Wm. Fraser*, assignees.—*Wm. Verity*, Bowling, near Bradford, Yorkshire, shopkeeper, No. 71,864 C.; *Thomas Jackson*, assignee.

Saturday, Jan. 19.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Edward G. Willmetts, Charlotte-street, Whitechapel, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—*Wm. Puckle*, Percy-street, Rathbone-place, Middlesex, ornolu manufacturer: in the Debtors Prison for London and Middlesex.—*Jos. Hall*, Brighton-terrace, Brixton, Surrey, attorney at law: in the Queen's Prison.—*Benaiah Hoe*, Bedford-buildings, Park-road, Clapham, Surrey, minister of the Baptist Chapel, Clapham-common: in the Gaol of Horse-monger-lane.—*James Colledge*, Jewin-crescent, Jewin-street, City, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*Chas. Waller* the younger, Hereford-road North, Westbourne-grove, Bayswater, Middlesex, omnibus proprietor: in the Debtors Prison for London and Middlesex.—*Joseph Davey*, Upper Whitecross-street, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*A. W. Winter*, Bedfordbury, St. Martin's-lane, Middlesex, pork butcher: in the Debtors Prison for London and Middlesex.—*S. Chantry*, Albany-road, Camberwell, Surrey, cheesemonger: in the Debtors Prison for London and Middlesex.—*Wm. Roberts*, Portland-place South, South Lambeth, Surrey, plumber: in the Gaol of Horse-monger-lane.—*Jane Hopkins*, Serle-place, Temple-bar, Middlesex, in no business: in the Debtors Prison for London and Middlesex.—*Wm. James*, Blenheim-street, Bond-street, Middlesex, bookseller: in the Debtors Prison for London and Middlesex.—*Richard Burrows*, Leighton Buzzard, Bedfordshire, nurseryman: in the Debtors Prison for London and Middlesex.—*Robert Collins*, St. Thomas-street East, Southwark, Surrey, licensed victualler: in the Debtors

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(On Creditor's Petition).

Charlotte Hinde, spinster, Langham-lodge, Epping, Essex: in the Gaol of Chelmsford.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 6 at 10, before Mr. Commissioner LAW.

Thomas Halstead, Nelson-st., Hackney-road, Middlesex, sailmaker.—*Charles Collins*, Great Sutton-st., Clerkenwell, Middlesex, general agent.—*George Crick*, Castle-st., Long-acre, Middlesex, coach builder.—*Wm. J. B. Collins*, West Smithfield, Middlesex, biscuit baker.—*John L. Gray*, Great Ryder-st., Westminster, Middlesex, tailor.

Feb. 7 at 11, before the CHIEF COMMISSIONER.

John Hays, Menton's-wharf, St. Saviour's-dock, Mill-st., Bermondsey, Surrey, merchant.—*Jean Etienne A. de Lestre*, Salisbury-sq., Fleet-st., London, following no trade.—*Rich. Richards*, Dorey-cottages, Southgate-road, De Beauvoir-town, Kingland, Middlesex, builder.

Feb. 7 at 11, before Mr. Commissioner PHILLIPS.

Edward Geo. Willmetts, Essex-street, Mile-end Old-town, Middlesex, lodging-house keeper.—*Wm. Wells*, High-street, Camden-town, Middlesex, chemist.—*Moses Harris*, Lower-marsh, Lambeth, Surrey, dealer in clothes.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lincolnshire, at LINCOLN, Feb. 4 at 10.

John H. Allen, Quadrington, Quadring, farmer.—*Edward Jackson*, Swinehead, near Boston, farmer.

At the County Court of Gloucestershire, at GLOUCESTER, Feb. 11.

Wm. Beird, Cheltenham, out of business.

At the County Court of Cornwall, at BODMIN, Feb. 6 at 10.

Noah Coward, Calstock, speculator in mines.—*John Rowe*, Penzance, adventurer in mines.

At the County Court of Kent, at MAIDSTONE, Feb. 5.

Wm. Basdown, Upper Higham, market gardener.—*Edw. R. Moorey*, Deptford, baker.—*William Spooner*, Ellington-cottage, St. Lawrence, near Ramsgate, man cook.—*Frederick Gerrard*, Prospect-place, Lower-road, Deptford, clerk in the East Country Docks.—*Wm. Hobbs*, Lunsford-hall Farm, East Malling, out of business.

INSOLVENT DEBTOR'S DIVIDEND.

Eliz. Britten, Bathford, Bath, Somersetshire, licensed victualler, Hoaking's, Gloucester Inn, Bath: 4s. 4½d. in the pound.

FRIDAY, JANUARY 25.**BANKRUPTS.**

JOHN WEBSTER, formerly of Aldermanbury, London, warehouseman, but now of Southgate, Middlesex, dealer in mining shares, dealer and chapman, Feb. 1 at 11, and March 7 at half-past 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Reed & Co., 59, Friday-street, Cheapside.—Fiat dated Jan. 25.

JOHANN CHRISTIAN BREMER, Mark-lane, London, merchant, dealer and chapman, Feb. 5 at half-past 12, and March 7 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Marten & Co., Commercial-chambers, Mincing-lane.—Petition dated Jan. 22.

THOMAS SMURWAITE, Scarborough, Yorkshire, wine and spirit merchant, dealer and chapman, Feb. 5 and 26 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Shackleton, Leeds; Michael, 9, Red Lion-square, London.—Petition dated Jan. 12.

PETER MANN, Leeds, Yorkshire, corn factor and flour dealer, dealer and chapman, (lately carrying on business in copartnership with Samuel Myers, under the style or firm of S. Myers & Co.), Feb. 4 at 11, and Feb. 26 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Payne & Co., Leeds.—Petition dated Jan. 17.

GEORGE RENNIE, Liverpool, merchant, Feb. 8 and 28 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Littledale & Bardwell, Liverpool.—Petition dated Jan. 21.

BENJAMIN HEWITT, Burton-upon-Trent, Staffordshire, licensed victualler, dealer and chapman, Feb. 4 and March 4 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Bass, Burton-upon-Trent; Wright, Birmingham.—Petition dated Jan. 16.

MEETINGS.

Wm. Woods, Mount-place, Waiworth-road, Surrey, iron-monger, Feb. 11 at 2, Court of Bankruptcy, London, last ex.—*M. L. Pritchard* and *Robert N. Dale*, Liverpool, share-brokers, Feb. 8 at 11, Court of Bankruptcy, London, last ex.

of *M. L. Pritchard*.—*Wm. R. Bernard*, Medhurst, Sussex, upholsterer, Feb. 8 at 1, Court of Bankruptcy, London, last ex.—*Thomas Keasley* and *Joseph L. Keasley*, Church-street, Blackfriars-road, Surrey, and Walsall, Staffordshire, tanners, Feb. 5 at 12, Court of Bankruptcy, London, last ex.—*Wm. Woods* and *Samuel Thomas*, Cheapside, London, wholesale hardwaremen, Feb. 5 at 11, Court of Bankruptcy, London, last ex.—*Charles Haylock*, March, Isle of Ely, Cambridgeshire, cabinet maker, Feb. 6 at 12, Court of Bankruptcy, London, last ex. and aud. ac.—*Edward Smallwood*, Criggelstone, Sandal Magna, Yorkshire, schoolmaster, Feb. 5 at 1, Court of Bankruptcy, London, last ex.—*Wm. Elliott*, Freeling-street, Caledonian-road, Islington, Middlesex, baker, Feb. 5 at 12, Court of Bankruptcy, London, last ex.—*Wm. L. Bowyer*, Macclesfield, Cheshire, grocer, Feb. 6 at 12, District Court of Bankruptcy, Manchester, last ex.—*Thomas Pye*, King's-road, Chelsea, Middlesex, timber merchant, Feb. 8 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Rogers*, John-street, Edgware-road, Middlesex, licensed victualler, Feb. 7 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Fred. C. Christy*, *Fred. Adams*, and *J. P. Hill*, Rotherhithe, Surrey, engineers, Feb. 12 at 11, Court of Bankruptcy, London, last ex. and aud. ac.—*Samuel Martin*, Poole, and Parkstone, Dorsetshire, fish merchant, Feb. 18 at 12, Court of Bankruptcy, London, aud. ac.—*James Addington*, London-road, Southwark, Surrey, varnish manufacturer, Feb. 18 at 12, Court of Bankruptcy, London, aud. ac.—*Edward R. Barnes*, North Walsham, Norfolk, tailor, Feb. 18 at 12, Court of Bankruptcy, London, aud. ac.—*Noah Pattenden*, Oxford, woollendrapier, Feb. 8 at 12, Court of Bankruptcy, London, aud. ac.—*Samuel Prentice*, Slough, Buckinghamshire, iron-monger, Feb. 16 at 12, Court of Bankruptcy, London, aud. ac. and div.—*J. Adderson*, West Dereham, Norfolk, butcher, Feb. 14 at half-past 11, Court of Bankruptcy, London, aud. ac.; Feb. 16 at 11, div.—*Samuel Mullen*, Ironmonger-lane, Cheapside, London, hotel keeper, Feb. 21 at 11, Court of Bankruptcy, London, aud. ac.—*R. Skinner*, West Malling, Kent, brickmaker, Feb. 21 at 12, Court of Bankruptcy, London, aud. ac.—*Thomas Bason*, Buckingham, shoemaker, Feb. 26 at 12, Court of Bankruptcy, London, aud. ac.—*J. Peake*, Cricklade, Wiltshire, draper, Feb. 26 at 1, Court of Bankruptcy, London, aud. ac.—*R. C. Sweet*, Birmingham, builder, Feb. 20 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Feb. 27 at 12, div.—*Henry Solomon*, *Jas. Smith*, and *James D. Galer*, Birmingham, grocers, Feb. 6 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*James Hymers*, Gateshead, Durham, newspaper proprietor, Feb. 12 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*James C. Allen*, North Shields, Northumberland, brewer, Feb. 12 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Robert Taylerson*, Felling-shore, Durham, iron manufacturer, Feb. 12 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thomas Potts*, Newcastle-upon-Tyne, draper, Feb. 19 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*J. Worthing*, Hartlepool, Durham, builder, Feb. 19 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Feb. 21 at half-past 1, fin. div.—*John Robson*, Sunderland, Durham, grocer, Feb. 19 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Feb. 21 at 11, fin. div.—*Richard Bulmer* and *Joseph Bulmer*, South Shields, Durham, shipbuilders, Feb. 19 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Rich. Nott*, Bristol, iron merchant, Feb. 22 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Wm. Stothert*, *Geo. Wood*, *John W. Little*, *John Cottle Spender*, *Wm. Brunton*, *Jos. Rusher*, and *Wm. Hen. Buckland*, Abchurch-lane, London, and Maesteg, Glamorganshire, iron manufacturers, Feb. 7 at 11, District Court of Bankruptcy, Bristol, aud. ac. sep. est. of *William Stothert*.—*W. Pickup*, Blackburn, Lancashire, brickmaker, Feb. 11 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 18 at 12, div.—*E. Heather*, Crawford-st., Marylebone, Middlesex, straw-hat maker, Feb. 15 at half-past 1, Court of Bankruptcy, London, div.—*Edw. Archer*, Clare-st., Clare-market, Middlesex, baker, Feb. 15 at 1, Court of Bankruptcy, London, div.—*Joan Pavis*, Three Colt-st., Limehouse, Middlesex, licensed victualler, Feb. 15 at 1, Court of Bankruptcy, London, div.—*Thomas Parfremont*, King-street, Holborn, Middlesex, bootmaker, Feb. 21 at 11, Court of Bankruptcy, London, div.—*David Nunn Fisher*, Lyme Regis, Norfolk, music seller, Feb. 21 at half-past 11, Court

of Bankruptcy, London, div.—*Thomas Walley* and *Philip Wesley Hardwick*, Oxford-st., Middlesex, linendrapers, Feb. 15 at half-past 12, Court of Bankruptcy, London, div. joint est., and div. sep. est. of *Thomas Walley*.—*John Francis Knobel*, Bolton-row, Piccadilly, Middlesex, wine merchant, Feb. 12 at 12, Court of Bankruptcy, London, div.—*Charles Bassett Roe* and *Thomas John Blachford*, Newport, Isle of Wight, Southampton, bankers, Feb. 16 at 11, Court of Bankruptcy, London, div. sep. est. of *Charles Bassett Roe*.—*John Porter*, Wormwood-st., London, cheese factor, Feb. 16 at 12, Court of Bankruptcy, London, div.—*George Teil* and *Basil McKensie Ronald*, Old Jewry-chambers, London, East India merchants, Feb. 28 at 12, Court of Bankruptcy, London, div.—*Henry Goring*, Hanwell, Middlesex, butcher, Feb. 16 at 12, Court of Bankruptcy, London, div.—*Sir George Duckett, Bart.*, *Sir Francis Bernard Morland, Bart.*, and *Thomas Tyningham Bernard*, Pall-mall, Middlesex, bankers, Feb. 21 at 2, Court of Bankruptcy, London, div.—*Frederick Cornell*, Halstead, Essex, ironmonger, Feb. 19 at 1, Court of Bankruptcy, London, div.—*Henry Tappenden the younger*, Ashford, Kent, corn dealer, Feb. 19 at 12, Court of Bankruptcy, London, div.—*John Wenham*, Beckley, Sussex, tailor, Feb. 12 at 2, Court of Bankruptcy, London, div.—*John Miller*, Liverpool, saddler, Feb. 15 at 11, District Court of Bankruptcy, Liverpool, div.—*John Deakin*, Liverpool, wine merchant, Feb. 15 at 11, District Court of Bankruptcy, Liverpool, div.—*John Julian Jackson*, Liverpool, Lancashire, and Birkenhead, Cheshire, wine merchant, Feb. 15 at 11, District Court of Bankruptcy, Liverpool, div.—*Thos. Larkins Walker*, *James Moody Wathew*, and *Edw. Wm. Kelsall*, Nuneaton, Warwickshire, brickmakers, Feb. 16 at 11, District Court of Bankruptcy, Birmingham, div. sep. est. of *James Moody Wathew*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Addington, London-road, Southwark, Surrey, varnish manufacturer, Feb. 18 at 12, Court of Bankruptcy, London.—*George Brook Pettit*, Brook-st., New-road, St. Pancras, and Upper St. Martin's-lane, Middlesex, ironmonger, Feb. 16 at 1, Court of Bankruptcy, London.—*Wm. Anderson*, Nelson-st., City-road, and Norman's-buildings, Middlesex, engineer, Feb. 16 at 11, Court of Bankruptcy, London.—*Thos. Vertue*, Trinity-terrace, Tower-hill, London, seed merchant, Feb. 15 at 12, Court of Bankruptcy, London.—*Wm. Freeman*, Edgeware-road, Middlesex, licensed victualler, Feb. 15 at 11, Court of Bankruptcy, London.—*Henry Hepworth*, Selby, Yorkshire, linendraper, Feb. 18 at 1, District Court of Bankruptcy, Leeds.—*Thomas Wheeler*, Liverpool, fruit merchant, Feb. 15 at 11, District Court of Bankruptcy, Liverpool.—*Howard Horsley*, Liverpool, warehouse-keeper, Feb. 18 at 11, District Court of Bankruptcy, Liverpool.—*Charles Buckles* and *Hodgson Inghold*, Manchester, contractors, Feb. 18 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Robert Taylor, Liverpool, ironmonger.—*Thomas Walley* and *Philip Wesley Hardwick*, Oxford-st., Middlesex, linendrapers.—*John Price*, Plaistow, Essex, innkeeper.—*George Thomas Day*, Commercial-road, Pimlico, Middlesex, civil engineer.—*Thomas Reed*, North Shields, Northumberland, banker.—*Jas. Hirst*, Halifax, Yorkshire, dyer.—*Alfred John Swift*, Liverpool, tinsmith.

FIAT ANNULLED.

Thos. Wickenden, Harp-lane, Tower-street, London, wine merchant.

PARTNERSHIP DISSOLVED.

Thomas Morris and *Richard Archer Wallington*, Warwick and Leamington Priors, Warwickshire, solicitors and attorneys at law, (under the firm of Morris & Wallington).

SCOTCH SEQUESTRATIONS.

David Wallace, Ballingreggan, near Campbeltown, farmer.—*John White*, Glasgow, grain dealer.—*David Wilson*, Edinburgh, wine dealer.—*John Cross*, Glasgow, coach proprietor.—*Jas. Simpson*, deceased, Netherfield, near Glasgow, writer.—*Henry Rankin*, Glasgow, merchant.—*William* and *James Brooks*, Glasgow, merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Parkinson, Railway Station, at Spole with Palgrave, Norfolk, station master, Feb. 11 at 11, County Court of Norfolk, at Swaffham.—*Thomas Phillips*, Bridgend, Glamorganshire, wheelwright, Feb. 9 at 10, County Court of Glamorganshire, at Bridgend.—*Emma Simms*, Worcester, out of employ, Feb. 13 at 10, County Court of Worcestershire, at Worcester.—*Thos. Gower*, Harpenden, Hertfordshire, baker, Jan. 30 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Wm. Johnson*, St. Alban's, Hertfordshire, trimming manufacturer, Jan. 30 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Samuel Stonham*, Maidstone, Kent, butcher, Feb. 5 at 12, County Court of Kent, at Maidstone.—*Sarah Jukes*, widow, Rodington, Shropshire, farmer, Feb. 15 at 10, County Court of Shropshire, at Wellington.—*Frances Phillips*, Holborough, Snodland, Kent, blacksmith, Feb. 5 at 12, County Court of Kent, at Maidstone.—*Mordecai Elwis*, Blyton Carr, Blyton, near Gainsborough, Lincolnshire, farmer, Feb. 11 at 11, County Court of Lincolnshire, at Gainsborough.—*Richard Tanner*, Hove-street, Sussex, master mariner, Feb. 1 at 12, County Court of Sussex, at Brighton.—*Nathan Roberts*, Heckington, near Sleaford, Lincolnshire, grocer, Feb. 8 at 11, County Court of Lincolnshire, at Sleaford.—*Emma Nutting*, Margate, Kent, housekeeper, Jan. 30 at 12, County Court of Kent, at Margate.—*William Lambert*, Ramsgate, Kent, furniture broker, Jan. 31 at 10, County Court of Kent, at Ramsgate.—*Charles James Habgood*, Cricklade, Wiltshire, out of business, Feb. 15 at 12, County Court of Wiltshire, at Swindon.—*John Redman*, Strand, Topsham, Devonshire, shoemaker, Feb. 9 at 10, County Court of Devonshire, at Exeter.—*John Thomas*, Neath, Glamorganshire, ironmonger, Feb. 7 at 10, County Court of Glamorganshire, at Neath.—*John Williams*, Neath, Glamorganshire, mason, Feb. 7 at 10, County Court of Glamorganshire, at Neath.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 9 at 11, before Mr. Commissioner PHILLIPS.

Eliza Martin, Great Wild-street, Lincoln's-inn-fields, Middlesex, music seller.

Feb. 11 at 10, before Mr. Commissioner LAW.

Mary Roache, Hampden-street, Somers-town, Middlesex, laundress.—*Thomas Presswell*, Upper Albany-street, Regent's-park, Middlesex, shoemaker.

Feb. 11 at 11, before Mr. Commissioner PHILLIPS.

William Kerr, Anchor and Hope-alley, Broad-street, St. George's-in-the-East, Middlesex, estate agent.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 8 at 11, before Mr. Commissioner HARRIS.

Adam Joseph Kopeck, Wharton-street, Pentonville, Middlesex, silk broker.—*William Francis Wellbeloved*, Buckingham, out of employment.

Feb. 9 at 11, before Mr. Commissioner PHILLIPS.

George Henry Lovegrove, Westham, Essex, writing-master.—*Samuel Chantry*, Leather-lane, St. Andrew's, Holborn, Middlesex, cheesemonger.

Feb. 11 at 10, before Mr. Commissioner LAW.

Joseph Low, Wood-street, Chapside, City, ironmonger.—*Joseph Harris*, Gloucester-mews East, King-street, Portman-square, Middlesex, cab driver.—*Charles Nunday Elston*, Arbor-square, Stepney, Middlesex, out of business.

Feb. 8 at 10, before Mr. Commissioner LAW.

Solomon Marks, Houndsditch, London, carver.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Somersetshire, at TAUNTON, Feb. 7.

James Dunn, Ilminster, plumber.—Samuel Street, Wincanton, pawnbroker.

At the County Court of Durham, at DURHAM, Feb. 8.

Henry Mason, Woodside, farmer.—William White, South Shields, following no employment.

At the County Court of Buckinghamshire, at AYLESBURY, Feb. 13 at 12.

John Humphrey Pates, Twyford, grocer.

At the County Court of Glamorganshire, at CARDIFF, Feb. 11.

John Lewis, Newbridge, near Cardiff, grocer.—David Jones, Swansea, builder.

At the County Court of Devonshire, at the CASTLE OF EXETER, Feb. 9 at 10.

Joseph Luckraft, Morley-cross, Halwell, cordwainer.—Chas. Pearce Simons, Totnes, out of business.—John Brown Smith, Dartmouth, attorney-at-law.

INSOLVENT DEBTOR'S MEETING.

William Woodley, R. N., Feb. 11 at 12, at Gray's-inn Coffee-house, Holborn, sp. aff.

COLONIAL LEGAL APPOINTMENTS.—Her Majesty has been pleased to make the following legal appointments for the colony of Van Diemen's Land:—Thomas Horne, Esq., to be Puisne Judge of the Supreme Court; Valentine Fleming, Esq., to be her Majesty's Attorney-General; Alban Charles Stonor, Esq., to be her Majesty's Solicitor-General; and Francis Smith, Esq., to be Crown-Solicitor and Clerk of the Peace.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—James Wood, of Nottingham; William Davies, of Haverfordwest.

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The Jurist

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LONDON, FEBRUARY 2, 1850.

MR. HARE, already advantageously known to the Profession by his learned treatise on "Discovery," and by his Equity Reports, than which, since Mr. Swanton's, no better have been seen, has adventured into the field of legal pamphleteering, in support of reform in the judicial procedure of the Court of Chancery*. The peculiarity of Mr. Hare's scheme of reform is the proposition to commence *all* proceedings in Chancery in the office of the Master, wherever the cause of suit may be, and for that purpose to make the judges of the county courts, or the country commissioners in bankruptcy, or both, Masters in Chancery. But we will let Mr. Hare state his proposition in his own words.

"There is," he says, "I believe, nothing new in the proposal to commence a suit in equity by a step to be taken in the Master's office, and thereby avoid the expense and delay of the preliminary pleadings now in use. It has, I think, been proposed to adopt this course in administration suits. My present suggestion is to extend this mode of proceeding to all kinds of suits, and enable the suit to be carried on, up to a certain stage, by the parties or their solicitors, in any part of the country in which they may reside, or the cause of suit may arise. There was not, until a recent period, any functionaries before whom such proceedings could take place, other than the present Masters; but now that the establishment of local jurisdiction, throughout the kingdom, has placed in every district a judge qua-

lified by professional education and experience for the examination of the questions and details proposed to be committed to him, the state is in possession of machinery for judicial purposes which may, and doubtless will, be most advantageously applied and extended for the general administration of justice.

"It is essential to the constitution of a perfect system of procedure for determining questions of property—First, that a party have every reasonable means and facility for bringing before the Court the nature and grounds of his claim to the subject in dispute, or the nature and grounds of his defence to the claim of the other party.

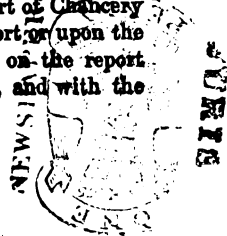
"Secondly, that all the parties interested are informed of and appear in the proceeding, or have every reasonable opportunity of appearing or taking a part in the proceeding.

"Thirdly, that every party have the means of proving, by testimony or otherwise, so far as the power of the law can give it, the facts upon which the dispute or question arises; and,

Fourthly and lastly, that there exist a competent tribunal to determine the result in law, from the evidence adduced by the parties, and to conclude the question in dispute by its judgment or decree.

"It has appeared to me, that all these conditions may be realised by making the judges of the county courts, and perhaps the commissioners of the bankruptcy court, titularly Masters in Chancery for certain specified districts, and extending their powers, so far as shall be necessary, for the purposes contemplated; and at the same time enabling the Court of Chancery to make decrees or orders upon the report, or upon the motion of the party or parties founded on the report of a local Master, in the same manner, and with the

* A Short Proposal for diminishing the Costs &c. of Suits in Equity. By Thomas Hare, Esq., Barrister at Law. London, Maxwell, 1850. Pp. 16.



some binding effect, as such decrees and orders are now made upon the hearing of a cause brought before the Court in the ordinary way. The process of the county courts may be made to insure (as I have no doubt that process now does in the matters within its scope) the three first of the above conditions; and I do not think it will be doubted that the Court of Chancery, as it is now constituted, and before which it is proposed that every disputed matter should ultimately come, is perfectly competent to satisfy the fourth and last condition.

"I propose to adopt the mode of plaint and summons now in use in the county courts, for the purpose of commencing a suit. The form of proceeding suggested will be most succinctly shewn by setting out an outline of the supposed report of a local Master, in an administration suit by a residuary legatee.

"IN CHANCERY.

"Between A. and B.,.....Plaintiffs,
and
C., W., and X., Defendants.

"To the Right Honourable the LORD HIGH CHANCELLOR.

"This is to certify to your Lordship, that the plaintiffs, A. and B., claiming to be two of the residuary legatees named in the last will of G., late of —, deceased, entered their plaint on the 10th day of January, 1850, and prayed the summons of this Court, that the defendant C., as executor of the said will, might shew cause, if he could, why he should not render to the said plaintiffs an account of the personal estate of the said G., and pay to each of the said plaintiffs his share of the residue thereof; whereupon the said summons issued, requiring the said defendant C. to appear before me at my court at —, on the 17th day of January, 1850, and answer thereunto; and the said defendant C. appeared at the said time and place, and said that he was the executor of the last will of the said G., as alleged, and that he had possessed divers monies and effects of the personal estate of the said G., and had paid divers debts and charges thereon; and that the said plaintiffs were two of the legatees named in the said will, and that W. and X. were named in the same will, and claimed to be also legatees of the residue or part of the residue of the estate of the said testator, G.; and the said C. then produced the probate copy of the will of the said testator, G., a copy whereof I have set forth in the schedule to this my report. And the said C. alleged that doubts had arisen on the true intent and meaning of the said will, and that he, the said C., ought to be held harmless and indemnified in the administration of the said estate; and the said C. craved time, until the 17th day of March then next, to set forth a full account of the said estate, and which time I allowed. And I directed the said defendant C., in the meantime, to cause advertisements to be published, &c. [*advertisements for creditors, &c.*]; and I directed that the summons of this Court should be forthwith issued to the said W. and X., requiring them to appear on the said 17th day of March, and shew cause, if they could, why the said A. and B. should not have the relief prayed by their said plaint. And on the said 17th day of March the said C. appeared accordingly, and produced his account of the said testator's personal estate, and of the application of such parts thereof as had been applied; and the said account is appended to this my report. And it appeared that the said advertisements had been duly issued, and that no person had claimed to be a creditor of the said testator's estate. And the said W. and X. also appeared, and shewed no cause against such relief

as aforesaid, but claimed certain interests in the said personal estate; and I have taxed the costs of the said A. and B. at £—, and the costs of the said C. at £—, and the costs of the said W. at £—, and the costs of the said X. at £—. All which I humbly submit.

(Signed)

"W. W.,

Master in Ordinary for the District No. —."

Mr. Hare adds other examples to illustrate his proposed plan, for which we refer our readers to his pamphlet, the extraction of one example sufficing for our present purpose.

To the proposition of commencing all suits, of the class termed "administratory," in the Master's office, we have no objection to make; nor do we see any particular objection to the commencing of such suits in any part of the country that may be most convenient to the parties, wherever there is to be found a county court or a commissioner in bankruptcy. For, in truth, such suits are, as to nine-tenths of all the business really requisite to be done in them, mere suits for account, requiring scarcely any formality of pleading or procedure in their beginning, in their middle, or in their end. In them occasionally arise questions of law, of more or less difficulty; and if, upon such questions, the decision of the inferior court were not satisfactory to either party, it might easily be carried to the superior court by a case stated, as is the practice in appealing from Revising Barristers; or by an appeal motion, according to the practice adopted under the Winding-up Acts; or in half-a-dozen other modes. The accounts in such suits can be as well taken in the country as in London; and it is entirely a question of convenience and expense, which is most advantageous to the suitors.

When, however, the principal subject-matter of a suit is not account, but ascertainment of legal or equitable rights—when, in fact, the principal matter is not that which is now done in the Master's office, but that which is done in court—the vice of the present system is not in commencing the proceeding in court, but in the mode of commencing and conducting it. What Mr. Hare proposes to do in reference to this point, he does not in his pamphlet tell us. He says, it is true, that he proposes to adopt the mode of plaint and summons now in use in the county courts, for the purpose of commencing a suit; but he does not inform us how or on what principle the plaint is to be framed; how the defence is to be made; nor how the evidence is to be taken; nor, in fact, does he give even an outline of the form of pleading and procedure. For ourselves, we do not see the advantage of commencing suits, of the class here spoken of, in the Master's office. Some strictness and precision in the forms of pleading will be always necessary in them; and if the simplification and brevity which are desirable, and we believe attainable, be substituted for the present prolix and complicated forms, the great evil of Chancery procedure would be removed: and there seems then no good reason for instituting in the Master's office proceedings, the nature of which is to require, as soon as the suit is properly constituted and the proofs taken, adjudication upon the contested rights of the parties.

We are glad, however, to see the subject of reform in Chancery proceedings taken up in every variety of

form, as, out of the consideration of the suggestions made by various minds, may arise a thorough sifting of the existing defects, and an ultimate improvement of the procedure of Courts of equity. Of the principles of equity, no one, at least, no informed person, complains. The only and just complaint is, that those principles are worked by a machinery so ponderous, as to make it quite inadequate for the wants of the community.

COURT OF COMMON PLEAS.

HILARY TERM.—13 VICTORIA.—Jan. 29, 1850.

This Court will, on Monday the 11th day of February next, and on every succeeding day, until and inclusive of Saturday the 16th day of February next, hold sittings, and will proceed in disposing of the business now pending in the Paper of New Trials, and in the Special Paper, and in giving judgment in certain of the matters that will then be standing over for the consideration of the Court. And this Court will, on Monday the 25th day of February next, hold a sitting, and will on such last-mentioned day proceed to give judgment in certain of the matters that will then be standing over for the consideration of the Court.

THOMAS WILDE.

London Gazette.

TUESDAY, JANUARY 29.

BANKRUPTS.

HENRY STRATTON, Aylesbury, Buckinghamshire, trader, Feb. 8 at half-past 1, and March 14 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Parrott, Aylesbury; White & Co., 11, Bedford-row.—Petition dated Jan. 5.

RICHARD LEACH, Newmarket, Suffolk, tailor, dealer and chapman, Feb. 11 at 1, and March 18 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Hinnell, Bury St. Edmund's; Kelly, 5, New Boswell-court.—Petition dated Jan. 18.

SAMUEL BANFILL, Edward-street, Langham-place, St. Marylebone, Middlesex, cabinet maker, dealer and chapman, Feb. 8 at 12, and March 9 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Barrow, 29, Great Portland-street, Marylebone.—Petition dated Jan. 19.

JAMES HENRY MILLS, Hove, Sussex, broker, Feb. 8 at half-past 11, and March 9 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Kennett, Brighton; Sowton, Great James-street, Bedford-row, London.—Petition dated Jan. 22.

THOMAS MATTHEW PEACOCK, Lower Marsh, Lambeth, Surrey; High-street, Poplar, Middlesex; and Evelyn-street, Deptford, Kent, boot and shoe maker, Feb. 9 and March 14 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Butler, 134, Tooley-street.—Petition dated Jan. 26.

TIMOTHY HARVEY, Newark-upon-Trent, Nottinghamshire, miller, Feb. 15 and March 15 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Hodgkinson, Newark-upon-Trent; Mottram & Co., Birmingham.—Petition dated Jan. 15.

HENRY GEORGE RIDEOUT, Nottingham, glove manufacturer, dealer and chapman, Feb. 15 and March 15 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Bowley, Nottingham.—Petition dated Jan. 21.

JOHN BAKER, Cheltenham and Gloucester, Gloucestershire, boot and shoe manufacturer, and dealer in boots and shoes, Feb. 11 and March 11 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Cheskyre, Cheltenham; Abbot, Bristol.—Petition filed Jan. 28.

THOMAS DON, Swinton Ironworks, West Riding of Yorkshire, Feb. 14 and March 14 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Barr & Nelson, Leeds.—Petition dated Jan. 14.

GEORGE FLETCHER SHARPLES, Manchester, baker, dealer and chapman, Feb. 12 and March 5 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Leeming & Richardson, Manchester.—Petition dated Jan. 23.

HENRY ROSE, Manchester and Salford, Lancashire, common brewer, dealer and chapman, Feb. 15 at 11, and March 8 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Hall, Manchester; J. & C. N. Cole, 4, Adelphi-terrace, London.—Petition filed Jan. 23.

MEETINGS.

J. A. Winder, Pendleton, Lancashire, draper, Feb. 14 at 12, District Court of Bankruptcy, Manchester, last ex.—*Thos. Hughes*, Lincoln, saddler, Feb. 13 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, and. ac.—*John Miller*, Liverpool, saddler, Feb. 14 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*John Deakin*, Liverpool, wine merchant, Feb. 14 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Edward Smallwood*, Crigglesome, Sandal Magna, Yorkshire, schoolmaster, Feb. 15 at 12, Court of Bankruptcy, London, div.—*John Morrison*, Craven-street, Strand, Middlesex, tailor, Feb. 19 at 12, Court of Bankruptcy, London, div.—*B. Spikins*, Lichfield-st., Soho, Westminster, Middlesex, timber merchant, Feb. 21 at 1, Court of Bankruptcy, London, div.—*Rich. F. Cass*, Ware, Hertfordshire, grocer, Feb. 21 at half-past 12, Court of Bankruptcy, London, div.—*Rich. Smith*, Droitwich, Worcestershire, corn dealer, Feb. 11 at 11, District Court of Bankruptcy, Birmingham, and. ac.; Feb. 23 at 11, div.—*John Ramsford*, Leamington Priors, Warwickshire, ale merchant, Feb. 21 at 12, District Court of Bankruptcy, Birmingham, fin. div.—*Joseph Lowe* and *Thos. F. R. Shaw*, Birmingham, factors, Feb. 21 at 12, District Court of Bankruptcy, Birmingham, fin. div.—*Decimus Field*, Frome, Somersetshire, linendraper, Feb. 20 at 11, District Court of Bankruptcy, Bristol, div.—*William Slater*, Marton, Whitegate, Cheshire, banker, Feb. 21 at 11, District Court of Bankruptcy, Liverpool, div.—*John Ashes*, Liverpool, Lancashire, and Egremond, Liscard, Wallasey, Cheshire, hotel keeper, Feb. 22 at 11, District Court of Bankruptcy, Liverpool, div.—*John Tarleton*, Gloucester-place, Middlesex, merchant, Feb. 22 at 11, District Court of Bankruptcy, Liverpool, div.—*Maria Morgan*, widow, Liverpool, woollendraper, Feb. 21 at 11, District Court of Bankruptcy, Liverpool, div.—*Thomas Hughes*, Lincoln, saddler, Feb. 20 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James Sabberton, Sutton-st., York-road, Lambeth, Surrey, tailor, Feb. 20 at 1, Court of Bankruptcy, London.—*Henry Bennett*, Chatham, Kent, corn dealer, Feb. 21 at 12, Court of Bankruptcy, London.—*John Morrison*, Craven-st., Strand, Middlesex, tailor, Feb. 20 at 11, Court of Bankruptcy, London.—*William Childerhouse* the younger, Montpelier-place, Montpelier-sq., Brompton, Middlesex, builder, Feb. 20 at 12, Court of Bankruptcy, London.—*Thomas Martin*, Blackfriars-road, Surrey, licensed victualler, Feb. 21 at 2, Court of Bankruptcy, London.—*Wm. Randall*, Bath, Somersetshire, shoemaker, Feb. 25 at 12, District Court of Bankruptcy, Bristol.—*John Hartas*, Sinnington Grange, Sinnington-with-Marton, Yorkshire, corn miller, Feb. 21 at 11, District Court of Bankruptcy, Leeds.—*John Turnbull*, Scarborough, Yorkshire, woollendraper, Feb. 21 at 11, District Court of Bankruptcy, Leeds.—*James Harshaw* and *William Ashes*, Leeds, Yorkshire, cloth merchants, Feb. 21 at 11, District Court of Bankruptcy, Leeds.—*Henry Corbett*, Madras, East Indies, and Manchester and Preston, Lancashire, England, merchant, Feb. 21 at 11, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

John Morrison, Beaulieu-hill, Norwood, Surrey, coal merchant.—*John Clayton*, Crown-court, Cheapside, London, Manchester warehouseman.—*Wm. R. Allanson*, New Malton, Yorkshire, corn factor.—*Alex. O. Martin*, Bridgend, Leeds, Yorkshire, stationer.—*Michael Neale Raynes*, Birkenhead, Cheshire, timber merchant.—*Joseph Clementson*, Whitehaven,

Cumberland, tobacconist.—*Richard E. Saxton*, Crich, near Alfreton, Derbyshire, jeweller.—*John Smith*, New Sleaford, Lincolnshire, wharfinger.

FIAT ANNULLED.

George T. Winter, Brick-lane, Old-st., St. Luke's, Middlesex, builder.

PARTNERSHIPS DISSOLVED.

Henry Rice and *Edw. K. Stace*, Newport, Isle of Wight, attorneys at law, solicitors in Chancery, and conveyancers.—*John Foulkes* and *George C. Parker*, Wrexham, Denbighshire, attorneys and solicitors, (under the firm of Foulkes & Parker, and will be carried on by *George Cutler Parker* on his own account).

SCOTCH SEQUESTRATIONS.

George Darling, Edinburgh, clothier.—*Thos. Shier*, Banff, bookseller.—*Wm. Thomson*, Glasgow, accountant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Ellis, Froyle, Southampton, cordwainer, Feb. 16 at 11, County Court of Hampshire, at Alton.—*James Pady*, Colyton, Devonshire, yeoman, Feb. 11 at 10, County Court of Devonshire, at Axminster.—*William Lee*, Derby, statuary, Feb. 16 at 11, County Court of Derbyshire, at Derby.—*Geo. Ford*, Cheltenham, Gloucestershire, picture dealer, Feb. 19 at 10, County Court of Gloucestershire, at Cheltenham.—*Charles Bird*, Derby, hatter, Feb. 16 at 11, County Court of Derbyshire, at Derby.—*John Carnel* the younger, Cullompton, Devonshire, farmer, Feb. 14 at 10, County Court of Devonshire, at Tiverton.—*Richard Curwood*, Cullompton, Devonshire, farmer, Feb. 14 at 10, County Court of Devonshire, at Tiverton.—*Elizabeth Jane Fagan*, widow, Tiverton, Devonshire, Feb. 14 at 10, County Court of Devonshire, at Tiverton.—*Wm. Powell*, Penn Wood, Staffordshire, maltster, Feb. 12 at 12, County Court of Staffordshire, at Wolverhampton.—*Richard Robinson*, Wolverhampton, Staffordshire, hairdresser, Feb. 12 at 10, County Court of Staffordshire, at Wolverhampton.—*Wm. J. Corne*, Chatham, Kent, tobacconist, Feb. 7 at 10, County Court of Kent, at Rochester.—*James Bower*, Huddersfield, Yorkshire, innkeeper, Feb. 15 at 10, County Court of Yorkshire, at Huddersfield.—*Samuel Atkin*, Cowbit, Lincolnshire, farmer, Feb. 6 at 12, County Court of Lincolnshire, at Spalding.—*Wm. Ballands*, Chatham, Kent, bumboatman, Feb. 7 at 10, County Court of Kent, at Rochester.—*Jeremiah Ulyat*, Crowland, Lincolnshire, jobber, Feb. 6 at 12, County Court of Lincolnshire, at Spalding.—*B. Crosby* the elder, Gosberton Risegate, Gosberton, Lincolnshire, out of business, Feb. 6 at 12, County Court of Lincolnshire, at Spalding.—*John Friend*, Rainham, Kent, surgeon, Feb. 7 at 10, County Court of Kent, at Rochester.—*S. Palmer*, Littleport, Isle of Ely, Cambridgeshire, blacksmith, Feb. 13 at 11, County Court of Cambridgeshire, at Ely.—*William Carill*, Winalow, Buckinghamshire, grocer, Feb. 25 at 11, County Court of Buckinghamshire, at Buckingham.—*James Pollitt*, Urmston, Flixton, Lancashire, out of business, Feb. 8 at 12, County Court of Lancashire, at Manchester.—*James Rogers*, Manchester, theatrical manager, Feb. 8 at 11, County Court of Lancashire, at Manchester.—*Thomas M'Cann* the younger, Great Malvern, Worcestershire, carpenter, Feb. 15 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*James M'Cann*, Workhouse, Malvern Link, Great Malvern, Worcestershire, farmer, Feb. 15 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Henry Noakes*, Rochester, Kent, market gardener, Feb. 7 at 10, County Court of Kent, at Rochester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 12 at 11, before Mr. Commissioner HARRIS.

Jane Crockford, Tachbrook-st., Pimlico, Middlesex, out of business.—*Anne Foss*, Tachbrook-st., Pimlico, Middlesex, out of business.—*Thomas Jackson* the younger, East-st., Manchester-square, Middlesex, out of business.—*James Gomb*, Millman-row, Chelsea, Middlesex, out of business.

Feb. 13 at 11, before the CHIEF COMMISSIONER.

Robert Duffell, Vauxhall-street, Upper Kennington-lane, Lambeth, Surrey, lamp contractor.—*Chas. Alex. Hammar*, Sidmouth-place, Gray's-inn-lane, Middlesex, pianoforte maker.—*Robert Hay*, Charlotte-street, Fitzroy-square, Middlesex, pianoforte maker.—*John Baker*, Stafford-st., Old Bond-st., Piccadilly, and Buckingham-street, New-road, Middlesex, tailor.

Feb. 13 at 10, before Mr. Commissioner LAW.

John Emery, Paradise-street, Rotherhithe, Surrey, boot and shoe maker.

Feb. 14 at 10, before Mr. Commissioner LAW.

Richard Flack, Tooley-street, Southwark, Surrey, out of business.

Saturday, Jan. 26.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Gray Wilson, Upper Grafton-street, Fitzroy-square, Middlesex, gentleman, No. 61,197 T.; *William Henry Green*, assignee.—*Jas. Wm. Bolton*, High-st., Shadwell, Middlesex, grocer, No. 61,237 T.; *William Richard Parsons* and *Lambert Phillipp Mollidonn*, assignees.—*Wm. Anderson* the younger, Newcastle-upon-Tyne, coal fitter, No. 71,866 C.; *Robert Bell*, assignee.—*James Churchill*, Suffolk-place, Hackney-road, Middlesex, fancy cabinet manufacturer, No. 61,175 T.; *George Horatio Wilkinson*, assignee.

Saturday, Jan. 26.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James Chapman, Flood's-terrace, Beresford-st., Walworth, Surrey, clerk to a stockbroker: in the Debtors Prison for London and Middlesex.—*Jonathan King*, George-street, Hampstead-road, Middlesex, clerk in the General Post-office: in the Debtors Prison for London and Middlesex.—*Henry Freeth*, Bishopsgate-street Within, London, confectioner: in the Debtors Prison for London and Middlesex.—*Samuel Adams*, Exmouth-street, Stepney, Middlesex, law agent: in the Queen's Prison.—*William Wolfe Alois*, Princes-terrace, Shepherd's Bush, Middlesex, engraver: in the Queen's Prison.—*James Miller*, Howland-st., Fitzroy-square, Middlesex, stationer: in the Debtors Prison for London and Middlesex.—*Henry Osborne*, Pillman's-buildings, York-road, Middlesex, bootmaker: in the Debtors Prison for London and Middlesex.—*Philip Watling*, High-st., Camden-town, Middlesex, poulterer: in the Debtors Prison for London and Middlesex.—*Wm. Pilsworth*, Love-lane, Eastcheap, London, stationer: in the Debtors Prison for London and Middlesex.—*Mary Ann Welby*, spinster, Gloucester-grove, Old Brompton, Middlesex: in the Debtors Prison for London and Middlesex.—*Caroline Welby*, spinster, Gloucester-grove, Old Brompton, Middlesex: in the Debtors Prison for London and Middlesex.—*Francis Martin*, Holloway-place, Holloway, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Richard Spike* the younger, King-st., Hammer-smith, Middlesex, chemist: in the Queen's Prison.—*Charles Chadwicke Jones*, Howley-place, Harrow-road, Middlesex, serjeant-at-law: in the Queen's Prison.—*Benjamin Land*, Creed-place, Greenwich, Kent, out of business: in the Queen's Prison.—*Francis Westcoat Wyman*, Shoreditch, Middlesex, tallow chandler: in the Queen's Prison.—*Henry Acott*, Earl-st. West, Marylebone, Middlesex, eating-house keeper: in the Debtors Prison for London and Middlesex.—*Joseph Luckraft*, Morley, Halwell, Devonshire, cordwainer and farmer: in the Gaol of Saint Thomas the Apostle.—*Charles Thomas Perks*, Wolverhampton, Staffordshire, glass dealer: in the Gaol of Warwick.—*Mary Russell*, Maidenwell, Portland, Dorsetshire, lodging-house keeper: in the Gaol of Dorchester.—*Charles Pearce Simons*, Totnes, Devonshire, hatter: in the Gaol of St. Thomas the Apostle.—*John Walsh*, Great Yarmouth, Norfolk, hatter: in the Gaol of Norwich.—*Thomas Barraclough*, Holbeck, near Leeds, Yorkshire, cloth merchant: in the Gaol of York.—*David Jones*, Swansea, Glamorganshire, builder: in the Gaol of Cardiff.—*Theophilus Jeavons*, West Bromwich, Staffordshire, chainmaker: in the Gaol of Coventry.—*George Shepherd*, Preston, Lancashire, butcher: in Lancaster Castle.—*John Brown*, Boroughbridge,

Yorkshire, linendraper: in York Castle.—*William Butler*, Thornhill, near Dewsbury, Yorkshire, farmer: in York Castle.—*Richard Davis*, Woodham Walter, Essex, wheelwright: in the Gaol of Springfield.—*John Barker Hewett*, Stratford, Essex, carpenter: in the Gaol of Chelmsford.—*Matthew Holdsworth*, Farsley, near Leeds, Yorkshire, farmer: in the Castle of York.—*James Hughes*, Bedford, tea dealer: in the Gaol of Bedford.—*Edward Moore*, Napton-on-the-Mill, Warwickshire, farmer: in the Gaol of Warwick.—*William Hurns*, Church Honeybourn, Worcestershire, farmer: in the Gaol of Worcester.—*Anthony Nichol*, Newcastle-upon-Tyne, shipbroker: in the Gaol of Newcastle-upon-Tyne.—*Alexander Patrick*, Leeds, Yorkshire, rope spinner: in the Castle of York.—*Robert Robson*, Huddersfield, Yorkshire, draper: in the Castle of York.—*Thomas Dunning*, Midway, near Manchester, commission agent: in the Castle of Lancaster.—*Samuel Day*, Manchester, working cutler: in the Castle of Lancaster.—*Thos. Rickinson*, Hull, Yorkshire, cattle dealer: in the Castle of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 12 at 10, before Mr. Commissioner LAW.

B. Hoe, Bedford-buildings, Park-road, and Crescent-place, Clapham, Surrey, minister of the Baptist Chapel, Clapham-common.—*John Tazer*, Great Dover-street, Southwark, Surrey, builder.

Feb. 14 at 11, before the CHIEF COMMISSIONER.

Hen. Freeth, Bishopsgate-street Without, Middlesex, pastry cook.—*Robert Hutchinson*, Tollington-park, Hornsey-road, Middlesex, out of business.—*Robt. Collins*, St. Thomas-street East, Surrey, out of business.

Feb. 14 at 11, before Mr. Commissioner PHILLIPS.

Henry James Smith, Roadwell-terrace, Roadwell-road, Stepney, Middlesex, coal meter.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Essex, at CHELMSFORD, Feb. 12.

Benjamin Green, Barking, licensed dealer in beer.—*Richard Davis*, Woodham Walter, near Maldon, wheelwright.—*John Barker Hewett*, Stratford, carpenter.

At the County Court of Norfolk, at NORWICH CASTLE, Feb. 12.

John Walsh, Norwich, hatter.

At the County Court of Herefordshire, at HEREFORD, Feb. 14 at 10.

Richard William Barnes, Mordiford, bricklayer.

At the County Court of Kent, at DOVER, Feb. 23 at 10.

Edward Spicer, Folkestone, shipwright.

At the County Court of Derbyshire, at DERBY, Feb. 16 at 11.

John Dodd, Newbould, Chesterfield, saddler.

At the County Court of Lincolnshire, at LINCOLN, Feb. 14 at 10.

Frederick Horton Burley, Lincoln, porter.—*Ged Swift*, Friskney, near Boston, labourer.

INSOLVENT DEBTORS' DIVIDENDS.

John Goode, Birmingham, victualler: 5s. 3d. in the pound.—*Thomas Yolland* the younger, Cromer-street, Brunswick-square, Middlesex, plumber: 2s. 5½d. in the pound.—*Arthur Keating*, Brook's-place, Kennington-cross, Surrey, jeweller: 6½d. in the pound.—*John Fawcett Loder*, Southampton-place, Euston-square, Middlesex, musician: 5s. in the pound.—*Saville Crowther*, Lindley Moor, near Halifax, Yorkshire, innkeeper: 1s. 6d. in the pound.—*Richard Chennell*, Guildford, Surrey, victualler: 7s. 1½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

Geo. Randfield Towell, Mistley, Suffolk, shipowner: 1s. 6d. in the pound, (in addition to a former dividend of 4s. 6d.), Jan. 31, at Alexander's, banker, Ipswich.

FRIDAY, FEBRUARY 1.

BANKRUPTS.

JAMES BARR, New Turnstile, High Holborn, and Old-road, St. Pancras, Middlesex, builder, Feb. 8 at half-past 1, and March 14 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Messrs. Lovell, 14, South-square, Gray's-inn.—Petition filed Jan. 4.

WALTER YONGE, Strand, Middlesex, watchmaker and jeweller, Feb. 8 at half-past 12, and March 14 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Hope, 9, Ely-place, Holborn.—Petition dated Jan. 23.

HENRY ROSE, Manchester and Salford, Lancashire, common brewer, dealer and chapman, Feb. 18 at 2, and March 18 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Hall, Manchester; J. & C. W. Cole, 4, Adelphi-terrace, London.—Petition dated Jan. 21.

EDWARD WEST, late of St. Benet's-place, Gracechurch-street, but now of Leadenhall-street, London, ship and insurance agent, dealer and chapman, Feb. 8 at 11, and March 15 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Chamberlayne, 31, Great James-street, Bedford-row.—Petition dated Jan. 22.

JOSEPH FARRAH, Crooked Billet Public-house, Wych-street, Strand, Middlesex, victualler, dealer and chapman, Feb. 12 and March 15 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Martineau, 2, Raymond-buildings, Gray's-inn.—Petition filed Jan. 21.

HENRY WATTS, Upper Bryanstone-street, Bryanstone-square, Middlesex, corn dealer, Feb. 9 at 11, and March 14 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Gomm, 31, Edward-st., Portman-square.—Petition dated Jan. 24.

JOHN OLIVER SURTEES, Wigmore-street, Cavendish-square, Middlesex, printseller, dealer and chapman, Feb. 15 and March 12 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Fallows, 198, Piccadilly.—Petition filed Jan. 30.

ROBERT JAMES JONES, Leighton Buzzard, Bedfordshire, baker and miller, Feb. 8 at 12, and March 16 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Wright, 11, Farnival's-inn.—Petition dated Jan. 23.

CHARLES WRIGHT, Crooked-lane, King William-street, London, commission agent and dealer in edge tools, Feb. 9 at 1, and March 9 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Tucker & Steavenson, 1, Sun-chambers, Threadneedle-street, London.—Petition dated Jan. 29.

CHARLES COOKE, Stafford, grocer and provision dealer, dealer and chapman, Feb. 11 and March 18 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Hiern, Stafford; James, Birmingham.—Petition dated Jan. 21.

EDWARD STIDWORTHY, Modbury, Devonshire, innkeeper, dealer and chapman, Feb. 11 and March 7 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernanman; Sols. Hancock, Devonport; Terrell, Exeter.—Petition filed Jan. 22.

MAURICE JONES, Delamere, Cheshire, livery-stable keeper, trainer, dealer and chapman, Feb. 13 and March 4 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Bradburne, Northwich, Cheshire; Dodge, Liverpool.—Petition dated Jan. 29.

SAMUEL GLENNY, Liverpool, corn and commission merchant, dealer and chapman, (carrying on business in Liverpool under the firm of Samuel Glenny, and in Newry, Armagh, Ireland, under the firm of Samuel Glenny & Co.), Feb. 15 and March 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Whitley, Liverpool.—Petition dated Jan. 29; filed Jan. 31.

WILLIAM EDMONDSON, formerly of Leeds, Yorkshire, cloth merchant, dealer and chapman, late of Ecclehill, near Bradford, and now a prisoner for debt in the Gaol of York Castle, Feb. 19 and March 12 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Blackburn, and Bell, Leeds.—Petition dated Jan. 25.

SAMUEL GIBSON, Low Peter Gate, York, licensed victualler and innkeeper, dealer and chapman, Feb. 15 and March 14 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Monkman, York; Harle & Clarke, Leeds.—Petition dated Jan. 23.

MEETINGS.

John Chisholm and *Wm. Chisholm*, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumers, Feb. 15 at 11, Court of Bankruptcy, London, last ex.—*Rendell Michael*, Boulogne-sur-Mer, France, general merchant, Feb. 13 at 12, Court of Bankruptcy, London, and ac.—*William Elliott*, Freeling-street, Caledonian-road, Islington, Middlesex, baker, Feb. 20 at half-past 11, Court of Bankruptcy, London, and ac.—*Fred. Berford*, St. Alban's, Hertfordshire, hatmaker, Feb. 13 at 11, Court of Bankruptcy, London, and ac.—*Hen. Blain* and *Charles Thos. Peace*, Vauxhall-gardens, Vauxhall, Surrey, wine merchants, Feb. 13 at 11, Court of Bankruptcy, London, and ac.—*Charles Wetherill*, Down-st., Piccadilly, Middlesex, ironmonger, Feb. 13 at 11, Court of Bankruptcy, London, and ac.—*Richard F. Cass*, Ware, Hertfordshire, grocer, Feb. 14 at 1, Court of Bankruptcy, London, and ac.—*Benj. Spittus*, Lichfield-st., Soho, Westminster, Middlesex, timber merchant, Feb. 14 at 1, Court of Bankruptcy, London, and ac.—*Thomas Ellen*, Great Russell-street, Bloomsbury, Middlesex, coal merchant, Feb. 26 at 11, Court of Bankruptcy, London, and ac.—*Wm. A. Reeves*, Maidstone, Kent, cabinet maker, Feb. 22 at half-past 12, Court of Bankruptcy, London, and ac.—*Henry Bridges*, Oxford-street, Middlesex, cabinet maker, Feb. 25 at 12, Court of Bankruptcy, London, and ac.—*George Viser* and *Henry Viser*, Bristol, brewers, Feb. 14 at 11, District Court of Bankruptcy, Bristol, and ac.—*Richard Hutton*, Liverpool, painter, Feb. 18 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Maurice Powell*, Newtown, Montgomeryshire, butcher, Feb. 18 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Thomas Cragg*, Blackpool, Layton-with-Warbreck, Lancashire, grocer, Feb. 26 at 11, District Court of Bankruptcy, Liverpool, and ac.; March 5 at 11, div.—*Henry Barton* the younger, Liverpool, ship broker, Feb. 18 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Stephen Vertue*, Liverpool, merchant, Feb. 18 at 11, District Court of Bankruptcy, Liverpool, and ac.—*John Yeomans*, Sheffield, Yorkshire, merchant, Feb. 16 at 12, District Court of Bankruptcy, Sheffield, and ac.; Feb. 23 at 12, div.—*Joseph Lowe* and *Thomas F. R. Shaw*, Birmingham, factors, Feb. 12 at 12, District Court of Bankruptcy, Birmingham, and ac.—*John Ransford*, Leamington Priors, Warwickshire, ale merchant, Feb. 12 at 12, District Court of Bankruptcy, Birmingham, and ac.—*Wm. Clayton*, Langcliffe, Yorkshire, *William Clayton*, Lostock, Walton-le-Dale, Lancashire, and *William Wilson*, Preston, Lancashire, bankers, Feb. 21 at 11, District Court of Bankruptcy, Manchester, and ac.; Feb. 22 at 11, div.—*J. Henderson*, Fleet-street, London, bookseller, Feb. 28 at 12, Court of Bankruptcy, London, div.—*David R. Remington* and *Joseph P. Twissie*, Lombard-st., London, bankers, Feb. 15 at 1, Court of Bankruptcy, London, div.—*John O. Culyer*, Edmonton, Middlesex, gasfitter, Feb. 28 at 1, Court of Bankruptcy, London, div.—*Wm. Bottle*, Dover, Kent, grocer, Feb. 26 at 2, Court of Bankruptcy, London, div.—*George Barnard*, High Wycombe, Buckinghamshire, grocer, March 1 at 1, Court of Bankruptcy, London, fin. div.—*Wm. Boyle*, Upper Lisson-st., Lisson-grove, St. Marylebone, Middlesex, licensed victualler, March 1 at 2, Court of Bankruptcy, London, fin. div.—*Samuel Martin*, Poole and Parkstone, Dorsetshire, salt merchant, Feb. 25 at half-past 11, Court of Bankruptcy, London, div.—*Francis Armeson*, Carlton-hill, St. John's-wood, Middlesex, builder, Feb. 25 at 11, Court of Bankruptcy, London, div.—*Fred. Flear*, Farnham, Nottinghamshire, miller, Feb. 15 at 11, District Court of Bankruptcy, Nottingham, and ac.; Feb. 22 at 11, div.—*Samuel Grocock*, Leicester, hatter, Feb. 15 at 11, District Court of Bankruptcy, Nottingham, and ac.; Feb. 22 at 11, div.—*Edward Threlley*, Hinckley, Leicestershire, money scrivener, Feb. 23 at 11, District Court of Bankruptcy, Birmingham, fin. div.—*John Piper*, Bath, Somersetshire, coal merchant, Feb. 22 at 11, District Court of Bankruptcy, Bristol, div.—*James G. Smith*, Bath, Somersetshire, common brewer, March 4 at 12, District Court of Bankruptcy, Bristol, fin. div.—*Peter Jones* and *Edward Everett*, Liverpool, builders, Feb. 25 at 11, District Court of Bankruptcy, Liverpool, div.—*David Jones*, Liverpool, linendraper, Feb. 25 at 11, District Court of Bankruptcy, div.—*Jeremiah John Sullivan*, Meadow Bank Salt Works, Winsford, Cheshire, salt merchant, Feb. 26 at 11, District Court of Bankruptcy, Liverpool, div.—*David Evans* the younger, Liverpool, coachbuilder, Feb. 25 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Charles Rushbrook, Exmouth-street, Clerkenwell, Middlesex, tailor, Feb. 28 at half-past 12, Court of Bankruptcy, London.—*John Ward*, Bishopsgate Within, London, chemist, Feb. 23 at 11, Court of Bankruptcy, London.—*Wm. Patrick*, Farnham, Surrey, builder, Feb. 22 at 12, Court of Bankruptcy, London.—*William Alexander Reeves*, Maidstone, Kent, cabinet maker, Feb. 22 at half-past 12, Court of Bankruptcy, London.—*Charles Wynne Davies*, Brownlow-street, Holborn, Middlesex, licensed victualler, Feb. 25 at half-past 12, Court of Bankruptcy, London.—*John Sorby*, Sheffield, Yorkshire, steel melter, Feb. 23 at 12, District Court of Bankruptcy, Sheffield.—*John Durham*, Worksop, Nottinghamshire, miller, Feb. 23 at 12, District Court of Bankruptcy, Sheffield.—*Daniel Furness*, Sheffield, Yorkshire, beer-house keeper, Feb. 23 at 12, District Court of Bankruptcy, Sheffield.—*Michael McDonnell*, Liverpool, shipowner, Feb. 25 at 11, District Court of Bankruptcy, Liverpool.—*Robert Gibbs*, Birmingham, Warwickshire, and Dogpool-farm, Northfield, Worcestershire, corn dealer, Feb. 25 at 11, District Court of Bankruptcy, Birmingham.—*Joseph Beaman*, Anchor Works, Smethwick, Staffordshire, steel manufacturer, March 4 at 11, District Court of Bankruptcy, Birmingham.—*John George Briggs*, Leicester, innkeeper, Feb. 22 at 11, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

David George Foster, St. John's-square, Clerkenwell, Middlesex, ironmonger.—*George Boss*, Brighton, Sussex, postmaster.—*Wm. Gibb* the elder, Liverpool, commission agent.—*Joseph Hodgson*, Underbank, near Heddon-bridge, Halifax, Yorkshire, cotton spinner.

PARTNERSHIPS DISSOLVED.

Thomas Gamlen and *Charles Davison Scott*, Farnival's-inn, Middlesex, attorneys and solicitors.—*Edward Daniel*, *Joseph Barker*, and *Alfred Cox*, attorneys, solicitors, and conveyancers, (so far as concerns *Joseph Barker*).

SCOTCH SEQUESTRATIONS.

Thomas Lawrie & Co., Glasgow, glass merchants.—*Francis Blaikie Stuart*, Glasgow, tobacconist.—*John Whyte*, Glasgow, painter.—*Michael Waddell*, Glasgow, writer.—*John Adam & Co.*, Glasgow, commission merchants.—*John McKen*, Dumfries, chemist.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Lewis Phillips, Melcombe Regis, Dorsetshire, clothier, Feb. 21 at 11, County Court of Dorsetshire, at Weymouth.—*Robt. Blake* the elder, Great Yarmouth, Norfolk, fishcurer, Feb. 15 at 10, County Court of Norfolk, at Great Yarmouth.—*Samuel Plant*, Leese, Sandbach, Cheshire, farmer, Feb. 8 at 10, County Court of Cheshire, at Congleton.—*James Charles Gregory*, Holt, Bradford, Wiltshire, clerk in holy orders, Feb. 11 at 11, County Court of Wiltshire, at Bradford.—*Lacy Townsend Gaskell*, Liverpool, advertising agent, Feb. 11 at 10, Liverpool District County Court, at Liverpool.—*Robt. Monaf*, Carnforth, near Lancaster, labourer, Feb. 16 at 11, County Court of Lancashire, at Lancaster.—*John Broad*, Birmingham, butcher, Feb. 11 at 2, County Court of Warwickshire, at Birmingham.—*Richard Blanchard*, Southampton, and West End, South Stoneham, Hampshire, solicitor, Feb. 12 at 10, County Court of Hampshire, at Southampton.—*John Harding*, Puddletrenthide, Dorsetshire, farmer, Feb. 19 at 12, County Court of Dorsetshire, at Dorchester.—*George Kilminster*, Gainsborough, Lincolnshire, brushmaker, Feb. 14 at 10, County Court of Lincolnshire, at Lincoln.—*John Southwood*, Selby, Yorkshire, auctioneer, Feb. 7 at 10, County Court of Yorkshire, at Selby.—*George Harrison*, York, dealer in coals, Feb. 5 at 10, County Court of Yorkshire, at York.—*John Vaughan*, Chester, general grocer, Feb. 20 at 10, County Court of Cheshire, at Chester.—*William Milner*, Belper, Derbyshire, farmer, Feb. 14 at 10, County Court of Derbyshire, at Belper.—*James Morris*, Tipton, Staffordshire, underground bailiff, Feb. 8 at 3, County Court of Worcestershire, at Dudley.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 16 at 11, before Mr. Commissioner PHILLIPS.

Thomas Leadle, Granby-st., Waterloo-road, Surrey, out of business.—Edw. Cahill the younger, Waloot-square, Kennington, Surrey, clerk in the Admiralty, Somerset-house.—Wm. Twenty, Upper Ebury-st., Pimlico, Middlesex, tailor.—David Squire Partridge, Northampton-row, Holloway, Middlesex, shoemaker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 11 at 10, before Mr. Commissioner LAW.

Thomas Sheriff Jackson, Red Lion-court, Watling-street, and Lawrence-lane, Cheapside, London, warehouseman.

Feb. 15 at 11, before Mr. Commissioner HARRIS.

Arturo Foncea, Victoria-house, Southend-green, Hampstead, Middlesex, in no business.—John Greenaker, Lower-road, Islington, Middlesex, carpenter.

Feb. 16 at 11, before Mr. Commissioner PHILLIPS.

Jonathan King, George-st., Hampstead-road, Middlesex, clerk in the Inland Department of the General Post-office, St. Martin's-le-Grand.—Edward Reynolds, Paddington-st., Marylebone, Middlesex, dairyman.—William Brown, King-square, Goswell-road, Middlesex, dealer in chemicals.

Feb. 18 at 11, before the CHIEF COMMISSIONER.

Shepherd Simpson, North Audley-street, and Devonshire-hill, Hampstead, Middlesex, shopman to a cheesemonger.—Frances Davidge, widow, Twickenham, Middlesex, out of business.—Wm. Roberts, Portland-place South, South Lambeth, Surrey, paperhanger.—Charles Waller the younger, Bayswater, Middlesex, omnibus conductor.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Deborah Hornby, Preston, out of business, No. 71,883; William Kellett, assignee.—Thomas Carpenter, Liverpool, dealer in ale, No. 71,881; Alex. Porter, assignee.—Robert Frankland, Preston, butcher, No. 71,891; William Parkinson, assignee.—Thos. Consterdine, Manchester, out of business, No. 71,900; Joseph Cox, assignee.—James Brown Morgan, Edge-hill, near Liverpool, out of business, No. 71,782; H. Bremner, assignee.—W. Knowles, Cheadle, near Stockport, Cheshire, stonemason, No. 71,829; John Lowe, assignee.—Thos. Ollis, Everton, Liverpool, out of business, No. 71,943; Joseph Greenough, assignee.—Samuel Massey, Preston, iron moulder, No. 71,902; Thos. Turner, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Feb. 15 at 11.

John Wilson, Preston, out of business.—Thomas Ayrlon, Marsden, near Colne, general dealer.—Henry Hodson, Ashton-under-Lyne, out of business.—Thomas Howard Adcock, Liverpool, out of business.—Thomas Dunning, Midway, near Manchester, commission agent.—Jane Varley, Salford, out of business.—Godfrey Webster, Manchester, commercial traveller.—George Shepherd, Preston, assistant to a butcher.—Robert Bailey, Wigan, out of business.—Edward Houghton Taylor, Withnell, near Blackburn, quarryman.—John Tinsling, Manchester, dyersalter.—John Preston Lynill, Manchester, sharebroker.—Thomas Pattinson, Lancaster, butcher.

Feb. 16, at the same hour and place.

Charles Malpas, Manchester, manager of an eating-house.—Charles Rigby, Heaton Norris, out of business.

At the County Court of Norfolk, at GREAT YARMOUTH, Feb. 15 at 10.

James Darnell, Great Yarmouth, fish curer.

At the County Court of Sussex, at LEWES, Feb. 26 at 12. John Saul, Brighton, out of business.

At the County Court of Devonshire, at the CASTLE OF EXETER, Feb. 16 at 10.

William Laker Seage, Southmolton, seedsman.—Richard Hingston Goodridge, Plymouth, out of business.—Anthony Goodridge, Plymouth, out of business.

At the County Court of Dorsetshire, at DORCHESTER, Feb. 19.

Mary Russell, Maidenwell, and Mallams, Portland, lodging-house keeper.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—John James Reynolds, of Hereford; Isaac Williams, of Bath; Alfred Hayward, of Brackley, Northamptonshire; Alexander Samuel Huxford, of Oxford.

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LONDON, FEBRUARY 9, 1850.

It is not an unusual proceeding for the directors of companies to enforce the payment of calls both by action and by forfeiture of the shares of a defaulting shareholder. The propriety of this course, sometimes adopted under the terms of the deed of settlement, and sometimes under the stat. 8 Vict. c. 16, has been questioned in two recent cases.

In *Giles v. Hutt* (3 Exch. 18; 5 Dowl. & L. 387) the deed of settlement of a joint-stock company authorised the directors, at any time after the expiration of one month from the giving of notice, to apportion a sum by way of interest on the money due, and to limit a day for the payment thereof, and to declare, in default of payment thereof on or before such day so limited, that the shares in respect of which such default should be made should thenceforth be absolutely forfeited, or that it should be in the discretion of the board at once to declare such shares forfeited; provided always, that it should be lawful for the board, if they should think fit, to enforce the payment of the amount due in respect of any call, &c., instead of declaring the same to be forfeited.

The power given to the directors under this deed was held to be alternative only, and the Court decided that the commencement of an action, and obtaining judgment thereon, against a shareholder, for the recovery of a call due in respect of his shares, amounted to an election by the directors to adopt that mode of proceeding, so as to render null and void a subsequent resolution declaring such shares to be forfeited. The judgment of the Court, in this case, proceeded upon the construction of the deed of settlement. The subsequent decision in *The Great Northern Railway Company v. Kennedy* (13 Jur.,

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part 1, p. 1008) has interpreted the stat. 8 Vict. c. 16, so far as it bears on this subject, and has declared, that, under its clauses, (sects. 25, 29, 31, 34, and 35), the remedies of action and forfeiture are cumulative, and not alternative.

In that case, a plea to an action for calls, that the shares had been declared forfeited, was held bad on demurrer. The substance of the sections to which we have referred may be stated as follows:—The company may sue a defaulting shareholder, (sect. 25); the directors may, at any time after the expiration of two months from the day appointed for payment, declare the shares forfeited, and “that whether the company have sued for the amount of such call or not,” (sect. 29); the said declaration of forfeiture shall not take effect, so as to authorise the sale or other disposition of such shares, until it has been confirmed at a general meeting, to be held after the expiration of two months at least from the day on which notice of intention to make such declaration shall have been given, and the company may confirm such forfeiture, and direct such shares to be sold, or otherwise disposed of, (sect. 31); but only so far as shall be sufficient, as nearly as can be ascertained, to pay the arrears then due, together with interest and expenses; and if the money produced by the sale be more than sufficient for these purposes, the surplus shall, on demand, be paid to the defaulter, (sect. 34); and if he pay the amount due before the sale of his shares, they shall revert to him as if the calls had been duly paid, (sect. 35).

It will be at once seen, that the language of these sections is very different from that of the deed of settlement before set forth; and the distinction is clearly stated in the judgment of Parke, B.:—“This case differs from *Giles v. Hutt*, for there the deed of



settlement, in express terms, gave to the company the alternative remedy, either of suing or of declaring the shares to be forfeited; and the Court held, that, having obtained judgment against the defendant, they had elected that remedy, and could not declare a forfeiture. Whether, if they had brought the action only, that would have been an election, was not decided, but I think that it would. But, looking at the 8 Vict. c. 16, it is clear that the terms used do not give the forfeiture as an alternative remedy, but as a further security for the calls until payment. The shares are in the nature of a pledge or mortgage, and until the claim is satisfied the action may be maintained. There would still be a right to the costs if payment was after action brought." These last words refer to an argument used for the company, and apparently assented to by the Court, that the proceeds of the sale could not be applied to the costs of the action under the 34th section; and therefore, if the shares were declared forfeited after the commencement of the action, as they were in this case, and then even sold for a sum sufficient to cover all expenses, the company would be entitled to continue their action for the costs. If the shares be sold before the commencement of the action, it seems that the defendant should avail himself of this fact, by pleading it as an accord and satisfaction to so much of the cause of action as the amount realised may cover.

In the course of the argument in the latter case, the Court asked whether the plea was not an argumentative traverse of the defendant being the holder of the shares; but they were referred to the case of *The Belfast and County Down Railway Company v. Strange*, (1 Exch. 729), as shewing that the allegation to that effect in the declaration means that the defendant was holder at the time when the call was made. The other cases upon this subject have been decided with reference to the particular words used in the special acts of railway companies; upon application to plead several matters to actions for calls. In *The London and Brighton Railway Company v. Fairclough* (6 Bing. N. C. 270) the Court disallowed a plea that the defendant had forfeited his shares and ceased to be a proprietor after the making of the calls, and before the commencement of the action, as being contrary to the spirit and meaning of the company's act. In *The Eastern Counties Railway Company v. Cooke* (2 Railw. Cas. 250) such a plea was allowed. (See also *The Edinburgh, Leith, and Newhaven Railway Company v. Hebblewhite*, 1d. 237; and *The South-eastern Railway Company v. Hebblewhite*, 12 Ad. & El. 407).

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VALIDITY OF A BILL OF SALE OF GOODS IN CASE OF INSOLVENCY.

The Insolvent Debtors Act, 1 & 2 Vict. c. 110, contains a clause (sect. 57) corresponding with the reputed ownership clause in the Bankrupt Act, by which it is enacted, that if the prisoner shall, at the time of the commencement of his imprisonment, by the consent of the true owner, have in his possession, order, or disposition any goods or chattels whereof such prisoner was reputed owner, or whereof he had taken upon himself the sale, alteration, or disposition as owner, the same shall be deemed to be the property of such prisoner, so as to vest in his assignees for the benefit of his creditors.

The effect of that clause, and the corresponding clause in the Bankrupt Act, is to render it necessary for a mortgagee of goods and chattels, in order to secure himself in the event of the insolvency or bankruptcy of his debtor, to take possession of the goods, either actually or constructively, so as to withdraw them from the reputed ownership of the debtor. For this purpose, a declaration, that it shall be lawful for the debtor to retain possession until after demand of payment and default, will be of no avail, although it is sufficient to protect the goods from an execution creditor.

But, even after he has taken possession of the goods, the mortgagee is still liable to have his security defeated by the insolvency of his debtor, if the decision of the Vice-Chancellor of England, in *Parrott v. Congress*, (13 Jur. 398), can be supported. By sect. 61 of the stat. 1 & 2 Vict. c. 110, it is enacted, that where any prisoner, whose estate shall have vested in the provisional assignee under the act, shall have executed any warrant of attorney to confess judgment, or shall have given any cognovit actionem on bill of sale, whether for a valuable consideration or otherwise, no person shall, after the commencement of the imprisonment of such prisoner, avail himself of any execution upon any judgment to be obtained upon such warrant of attorney, or cognovit actionem, or of such bill of sale, either by seizure and sale of the property of such prisoner, or by sale of such property theretofore seized, or any part thereof.

The "Act to amend the Law of Insolvency, Bankruptcy, and Execution," 7 & 8 Vict. c. 96, contains provisions applicable to the case of a petitioner for protection under the stat. 5 & 6 Vict. c. 118. The reputed ownership provisions are embodied in the 17th section, and by sect. 19 it is enacted, "that if the petitioner shall, before or after the filing of his petition, in contemplation of his becoming insolvent, or being in insolvent circumstances, voluntarily convey, assign, transfer, or charge, deliver, or make over any estate, real or personal, security for money, bond, bill, note, money, goods, or effects whatsoever, to or in trust for any creditor or creditors, or person liable as surety for the petitioner, every such conveyance, &c. shall be deemed fraudulent and void as against the assignee or assignees in insolvency; provided, that no such conveyance, &c. shall be so deemed fraudulent and void if made at any time prior to three months before the filing of the petition, and not with the view of petitioning." This clause corresponds with the 59th section of the stat. 1 & 2 Vict. c. 110, and is here mentioned because it was relied on in *Parrott v. Congress*. The 21st section of the 7 & 8 Vict. c. 96, corresponds with the 61st section of the 1 & 2 Vict. c. 110, except that, in the more recent act, the expressions relating to seizure and sale apply exclusively to warrants of attor-

ney and cognovits, the provision as to bills of sale being merely that they shall not be available (without stating how) after the petition. Even in the 1 & 2 Vict. c. 110, s. 61, the words "seizure and sale" seem to refer only to seizure and sale of the prisoner's general property under an execution. The clause in the former Insolvent Debtors Acts (7 Geo. 4, c. 57, s. 34, &c.) was confined to executions, the words "bill of sale" having been first introduced in the 1 & 2 Vict. c. 110.

In *Parrott v. Congreve* the defendant, Congreve, claimed under a mortgage, dated the 1st January, 1841, by which Small assigned to Congreve all his goods and chattels in and about his dwelling-house and premises at H., specified in an inventory, subject to redemption on payment by Small to Congreve of the sum of 600*l.* at the expiration of twenty years from the date of the deed, or at such earlier time as Congreve, his executors, administrators, or assigns, should appoint, by giving three months' notice in writing, and of interest in the meantime. Congreve was authorised to take possession after default, and to sell. It is not stated that there was an express proviso, that in the meantime Small should retain possession of the goods; but, if there was not, no question was raised on the omission. On the 1st July, 1843, a further charge of 400*l.* was given by Small to Congreve. On the 26th January, 1848, Small executed an assignment to Congreve of all his goods and chattels in and about his dwelling-house, and all farming-stock and crops in and about his farm at H., as a further security for a further sum of 600*l.* then advanced by Congreve, and 400*l.* for which he was liable as surety, with a power of sale. In June, 1848, Congreve served a notice on Small, demanding payment on the 29th September following. On the 21st February, 1849, Congreve seized the goods, 1000*l.* being due on the two first securities, and 1297*l.* on the last. On the 8th March, 1849, Small filed his petition for protection, under the stat. 5 & 6 Vict. c. 116, of which notice was served on Congreve, who, however, was proceeding to sell the goods, when the official assignee of Small obtained an *ex parte* injunction to restrain him, which injunction the Vice-Chancellor now continued to the hearing. The plaintiff contended, that, even if the goods in execution at the date of the assignment could be sold by the defendant, he could not claim the farming-stock, which was not in existence when the assignment was made; but the injunction was continued as to all the goods. His Honor said, "Sect. 19 makes void every conveyance and dealing, with this provision—that no conveyance shall be deemed void if made within three months before filing the petition. Now, I apprehend, that, as far as the indenture is at all concerned, it is saved by sect. 19, for that was made more than three months before the filing of the petition; but, so far as the delivery is of importance, I think it is within the meaning of sect. 19, for the delivery was not made till February, and the petition was filed in March. Then, sect. 19 having declared that certain dealings shall be deemed fraudulent and void, comes sect. 21, that in all cases where any petitioner for protection from process, whose estate shall have been vested in any assignee, shall have executed any warrant of attorney to confess judgment, or shall have given a cognovit or bill of sale, no person shall avail himself of it by seizure or sale. Then what does it do? It does not deal with the validity of the contract or the bill of sale; but, leaving the validity of the bill of sale unaffected, declares, that where a petition has been presented, and by the act the estate and effects have been vested, no person shall avail himself of the bill of sale, but the party shall come in under the insolvency. It appears to me, therefore, that the bill of sale is not touched, and remains as it was; and if anything is to be hoped to be derived by the delivery, why the delivery is void; but if the bill

of sale is good, the party cannot avail himself of it now, and if he seeks the benefit of it, it must be under the insolvency."

His Honor seems to have read the 21st section as if the words "by seizure and sale, or by sale," had reference to a bill of sale; but that is not so. The words are, "no person shall avail himself of any execution issued or to be issued &c., either by seizure and sale of the property of such petitioner, or any part thereof, or by sale of such property theretofore seized, or any part thereof, or avail himself of such bill of sale." The clause, it will be observed, is perfectly general; it is not confined to voluntary or fraudulent securities, or even to securities at all, but applies to every warrant of attorney, cognovit, and bill of sale whatever, and whenever given; and if the Vice-Chancellor's construction is correct, a *bonâ fide* assignment of goods by bill of sale, intended for an absolute sale, paid for and completed by actual delivery of the goods, may be defeated five or even twenty years afterwards by the vendor's insolvency. That, of course, cannot be the meaning of the enactment, nor could it have been intended to apply even to every bill of sale by way of security, for a mortgagee of goods and chattels, followed by actual delivery, has as just a claim to protection as a mortgagee of real estate, and so capricious an intention as that of defeating the one and leaving the other in full force cannot be imputed to the Legislature. The intention was merely to prevent the holder of the bill of sale from availing himself of that instrument alone. He is not to avail himself of the bill of sale after the petition is filed; that is, he shall not take possession after that time. But if, before the petition is filed, he takes possession, he no longer relies on the bill of sale, but on his title by possession, obtained, not, as the Vice-Chancellor seems to have thought, under a voluntary delivery within the 19th section, but by virtue and in exercise of a prior authority granted for valuable consideration. It is true that the provision as to bills of sale, so construed, is superfluous, for the same effect is produced by the reputed ownership clause; but it is better to limit the provision to a reasonable meaning, though by so doing it is made superfluous, than to adopt an interpretation involving the absurd consequences which we have pointed out. There is nothing in the language of the clause to confine it to mortgages; and even if, without any warrant from its terms, it were so construed, it would still be inconsistent, for it would defeat a mortgage of goods by bill of sale, completed by seizure under the bill of sale, and would leave unaffected a mortgage of goods by delivery only, accompanied with a written defeasance, for such a delivery, not being voluntary, would not be within the 19th section.

The language of the 61st section of the 1 & 2 Vict. c. 110, is slightly different, as we have seen; and in a case within that act, where the bill of sale contained no power of sale, but was to be absolute after default, it was at law held that the mortgagee, taking possession before the imprisonment, was entitled to retain possession against the assignee suing in *trover*. (*Hunt v. Robins*, 3 Q. B. 300). The Court seemed to think that the enactment might have applied to a seizure for the purpose of sale under a power of sale. It will, therefore, be prudent in all mortgages of goods not to confine the mortgagee to the remedy by sale, but to leave him at liberty to rest on his title under the assignment.

G. S.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—Gustavus Gidley the younger, of Plymouth, Devonshire; Thomas Shuttleworth, of Manchester; Henry Penberthy, of Devonport, Devonshire.

Court Papers.**EQUITY SITTINGS, AFTER HILARY TERM, 1850.****Court of Chancery.***Before the LORD CHANCELLOR, at Lincoln's Inn.*

Thursday Feb. 7	{ First Seal.—Appeal Motions and Appeals.
Friday 8	{ (Petition-day).—Unopposed Petitions and Appeals.
Saturday 9	{ Appeals.
Monday 11	
Tuesday 12	
Wednesday 13	
Thursday 14	{ (Petition-day).—Unopposed Petitions and Appeals.
Friday 15	
Saturday 16	
Monday 18	
Tuesday 19	{ Appeals.
Wednesday 20	
Thursday 21	
Friday 22	
Saturday 23	{ Second Seal.—Appeal Motions and Appeals.
Monday 25	
Tuesday 26	
Wednesday 27	
Thursday 28	{ (Petition-day).—Unopposed Petitions and Appeals.
Friday March 1	
Saturday 2	
Monday 4	
Tuesday 5	{ Appeals.
Wednesday 6	
Thursday 7	
Friday 8	
Saturday 9	{ Third Seal.—Appeal Motions and Appeals.
Monday 11	
Tuesday 12	
Wednesday 13	
Thursday 14	{ (Petition-day).—Unopposed Petitions and Appeals.
Friday 15	
Saturday 16	
Monday 18	
Tuesday 19	{ Appeals.
Wednesday 20	
Thursday 21	
Friday 22	
Saturday 23	{ Unopposed Petitions and Appeals.
Monday 25	
Tuesday 26	
Wednesday 27	
Thursday 28	{ Fourth Seal.—Appeal Motions and Appeals.
Friday 29	
Saturday 30	
Monday 1	
Tuesday 2	{ General Petition-day.
Wednesday 3	
Thursday 4	
Friday 5	

N. B.—The days his Lordship hears Appeals in the House of Lords excepted.

Rolls Court.*Before the Right Hon. the MASTER OF THE ROLLS.**At the Rolls.*

Thursday Feb. 7	{ Motions.
Friday 8	{ Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday 9	

At the Judicial Committee.

Monday 11	{ Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Tuesday 12	
Wednesday 13	
Thursday 14	
Friday 15	{ Motions.
Saturday 16	

At the Rolls.

Saturday 16	{ Pleas, Demurrers, Causes, Further Directions, and Exceptions.
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At the Judicial Committee.

Monday 18	{ Motions.
Tuesday 19	
Wednesday 20	

At the Rolls.

Thursday 21	{ Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Friday 22	
Saturday 23	
Monday 25	
Tuesday 26	{ Motions.
Wednesday 27	
Thursday 28	
Friday March 1	
Saturday 2	{ Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Monday 4	
Tuesday 5	
Wednesday 6	
Thursday 7	{ Motions.
Friday 8	
Saturday 9	
Monday 11	
Tuesday 12	{ Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Wednesday 13	
Thursday 14	
Friday 15	
Saturday 16	{ Motions.
Monday 18	
Tuesday 19	
Wednesday 20	
Thursday 21	{ Petitions in the General Paper.
Friday 22	
Saturday 23	
Monday 25	

N. B.—Such days as his Lordship may be engaged at the Judicial Committee excepted, of which (if any) due notice will be given.

Short Causes, Consent Causes, and Consent Petitions, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and Copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

Vice-Chancellors' Courts.*Before the VICE-CHANCELLOR OF ENGLAND, at Lincoln's Inn.*

Thursday Feb. 7	{ First Seal.—Motions.
Friday 8	{ (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday 9	
Monday 11	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday 12	
Wednesday 13	
Thursday 14	
Friday 15	{ (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday 16	
Monday 18	
Tuesday 19	
Wednesday 20	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Thursday 21	
Friday 22	
Saturday 23	
Monday 25	{ Second Seal.—Motions.
Tuesday 26	
Wednesday 27	
Thursday 28	
Friday March 1	{ (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday 2	
Monday 4	
Tuesday 5	
Wednesday 6	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Thursday 7	
Friday 8	
Saturday 9	

Watkins v. Williams } (Ap)
Havard v. Church }
Emmett v. Dewhurst (Ap)
Briggs v. Penny (Ap)
Hickman v. Hickman (Ap)
Bedick v. Gandell (Ap)
Robinson v. Geldart (Ap)

Salmon v. Dean (Ap)
Smith v. Pinecombe (Ap)
Vivian v. Cochrane (Ap)
Sturge v. Sturge (Ap)
Pelly v. Wathen (Ap)
Shepherd v. Shepherd (Ap)
Feb. 8

Thomas v. Davies
Wyke v. Rogers
Hughes v. Paramore }
Same v. Wolsey }
Sadler v. Freuch
Johnson v. Shrapnell
Davies v. Mansatt
Lock v. Mayor, &c. of Weymouth
Beasley v. Clark
Popham v. Great Western Railway Co.
Munday v. Padwick (3 causes)
Sibbering v. Earl Balcarres
Peers v. Sneyd
Green v. Gleaves (F D, C)
Davall v. New River Co. (F D, C, Cause)
Alexander v. Cana Feb. 25
Burbidge v. Burbidge Feb. 25
Tyson v. Tyson (F D, C)
James v. Talbot (E, F D)
Thorne v. Harper Feb. 25
Smale v. Graves (E)
Eccles v. Birkett (F D, Cause)
Gatty v. Gatty Feb. 28
Parker v. Sheffield &c. Railway Co. Feb. 28

Thornhill v. Greame
Butler (pauper) v. Gardiner Feb. 28
Etty v. Etty SA
Hurrell v. Hurrell SA
Fitch v. Frend (F D, C)
Deakin v. Beardmore March 1
Reeve v. Reeve
Brose v. Cooke March 2
Thompson v. Thompson March 2
Laidler v. Ratcliffe (F D, C) SA
Carlton v. Biers (2 causes) SA
Tapecombe v. Newcombe (F D, C)
Nichols v. Morgan SA
Hewett v. Snare March 4
Randall v. Hall March 4
King v. Meininger
Whitmarsh v. Smith (E)
De Havilland v. Lord De Saumarez (F D)
Moss v. Wainwright SA
Hawkes v. Eastern Counties Railway Co.
Wood v. Pennell
Wright v. Johnson SA

Before the VICE-CHANCELLOR OF ENGLAND.
PLEAS, DEMURRERS, CAUSES, EXCEPTIONS, AND FURTHER DIRECTIONS.

Bates v. Backhouse (D)
Tynte v. Baker (D)
Fairthorne v. Davis (Pl)
Nesham v. Eadale (D)
Deeks v. Bell (D)
Robotham v. Amphlett (F D)
James v. Jones
Parkyn v. Cape Easter Term
Stammers v. Halliday (F D, C)
Same v. Sturges (Cause by order)
Deare v. Bates (F D, C)
Fairhurst v. Malcolm (E)
Freeman v. Norton
Mason (pauper) v. Wakeman
Bell v. Rea
Rea v. Bell
Holbeck (pauper) v. Holbeck
Attorney-Gen. v. Adams
Bignold v. Yeo
Galland v. Watson (3 causes, F D C)
Gifford v. Pryor
Spilling v. Sims (F D, C)
A. Fletcher v. Moore (F D, C)
Branch v. Bank of England (F D, C)
Bird v. Smith
Enderby v. Gunter
Wilkinson v. Hartly (E, F D)
Jones v. Parry
Green v. Wallis
Padwick v. Hanslip
Mayor of Berwick v. Murray
Fletcher v. Rumsden
Langdon v. Woods (F D, C)
Gardner v. Williams
Devey v. Kisher
Roe v. Goothridge (F C)
Bryant v. Bryant (F D, C)
Sergison v. Sergison (F D, C)
Foster v. Greaves
Foster v. Foster
Watson v. Boothby
Wright v. Bell
Trant v. Deffell (F D)
Porter v. Simson
Paterson v. Scott (F D, C)
Cooper v. France
Hatherell v. Baylis
Onyon v. Washbourne
Stailes v. Bourne
Curtis v. Cotton } SA
Same v. Bearc }
Haynes v. Barton

Duke of Leeds v. Earl Amherst (E)
Ashton v. Jones
Beebe v. Stirton (F D, C)
Heathcote v. Wyndham
Eckford v. Roome (2 causes)
Ellis Fletcher v. Moore
Norman v. Hammack
Hyde v. Neate (F D, C)
Lloyd v. Lloyd SA
Jenkins v. Haynes (F D, C)
Attorney-General v. Earl of St. David's (6 causes, F D)
Pepper v. Decker (F D, C)
Waters v. Mynn
Bustow v. Needham (E)
Attorney-General v. Lambard
Attorney-General v. Earl of Lichfield (F D, C)
Drysdale v. Carter
Hillcourt v. Widdrington
Boyes v. Brown
Attorney-General v. Badger
Graham v. Lyon
West v. Jones
Boileau v. Crane
Turner v. Larkin (F D, Ptn)
Stuart v. Long
Flint v. Gaunt
Ashburner v. Wilson
Dyne v. Costabadie
Maclean v. Babington
Rogers v. Hale
Jarvis v. Bullas (F D)
Jefferies v. Jefferies (F D)
Fosbrooke v. Woodcock
Reid v. Worsley (F D)
Swann v. Easton (F D)
Thornhill v. Manning
Shard v. Lee (F D, C)
Thornton v. Ellis
Parker v. Parker SA
Stephens v. Jones
Elias v. Birkhead
Hayward v. Townsend
Macpherson v. Macpherson
Fallenden v. Church
Hovell v. Haworth
Boucher v. Boucher (F D, C) SA
Uttermere v. Stevens
Smallpiece v. Graham
Mohony v. Galloway
Peto v. Bryan (F D, C)
Simmons v. Rudall (3 causes)
Robinson v. Hedger

Causes transferred from the Vice-Chancellor of England, by order.

Byrne v. Earl of Ranfurly
Pool v. Hague (4 causes)
Savage v. Savage (E)
Same v. Same (F D, C)
Hardcastle v. Methley
Smith v. Follett
Same v. Pennell
Seagrave v. Pope
Cooke v. Rich
Charlton v. Brittlebank
Herries v. Rainbott
Mortimer v. Mortimer

Bunbury v. Jee
Roberts v. Bothwin
Myatt v. Price
Lewin v. Kellett
Newcombe v. Muir
Collinge v. Knight (2 causes)
Collinge v. Collinge (2 causes)
Campbell v. Houston
Erumpier v. Lookett
Baron Rossmore v. Mowatt
Deacon v. Cooke
Davies v. Proctor

Before Vice-Chancellor WIGRAM.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Smith v. Smith (E)
Mence v. Bagster Easter T.
Toulmin v. Copland S O G
Stoney v. Stoney
Evans v. Pritchard S O
Johnson v. Johnson
Same v. Same
Savery v. Savary } (E)
Same v. Will
Beckett v. Bilbrough (pt. hd.)
Beeching v. Morphey
Elsey v. Lutyens
Sharpe v. Sharpe (6 causes, F D, C)
Bishop v. Vickers } (F D)
Same v. Stewers }
Boreham v. Bignall (3 causes, F D, C)
O'Brien v. Baron Kensington } Feb. 18
Same v. Same }
Jones v. How
Ingersoll v. Kendall (F D, C)
Monro v. Taylor (F D, E)
Sharp v. Taylor } (E)
Same v. Same }
Johns v. Dickinson

Ellis v. Cowne (F D, C)
Hughes v. Powell Feb. 21
Lewis v. Marsh Feb. 21
Adams v. Adams } (F D, Ptn)
Same v. Holmes } SA
Mendenhall & an. (pauper) v. Griffiths Feb. 25
Morey v. Lambe Feb. 26
Murray v. Parker
Monympenny v. Monypenny }
Same v. Dering (F D) }
Bateman v. Donne SA
Lucas v. Hoffman SA
Burton v. Williams SA
Robinson v. Sheffield }
Same v. Weir }
Wilbraham v. Capper (F D, C) SA
Fuller v. Bennett (F D)
Clackson v. Hadley (2 causes) SA
Norton v. Hepworth (E) }
Same v. Same }
Dehson v. Land } (E, F D)
Same v. Watkinson }
Same v. Weddall }
Donaldson v. Fairfax (F D, C)

Before Vice-Chancellor KNIGHT BRUCE.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Winder v. Abbott (E)
Stanley v. Bulkeley Easter T.
Edgson v. Edgson (3 causes) Feb. 19
Staveley v. Hutchinson
Quick v. Clayton
Sander v. Sander (F D, C)
Symons v. James (F D, Ptn)

Gee v. Mayor, &c. of Manchester
Attorney-General v. Vint
Ormerod v. Parkinson
Jennings v. Lloyd
Ladbrooke v. Lee
Strong v. Strong
Fagg v. Smith

MEMBER RETURNED TO SERVE IN PARLIAMENT.—John Hatchell, Esq., of Dublin, her Majesty's Solicitor-General for Ireland, for the borough of New Windsor, in the room of John Hay, Esq., (commonly called Lord John Hay), who has accepted the office of Steward of her Majesty's Manor of Northstead.

London Gazette.

TUESDAY, FEBRUARY 5.

BANKRUPTS.

EZEKIEL JULIAN and JOHN JULIAN, New Buckenham, Norfolk, grocers and drapers, Feb. 15 at 1, and March 26 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Cree, jun., 5, Verulam-buildings, Gray's-inn.—Petition dated Jan. 29.

JONATHAN LUCAS, Aldgate High-street, St. Botolph, Aldgate, London, licensed victualler, Feb. 12 at 11, and March 22 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Messrs. Hillery, 63, Fenchurch-street.—Petition dated Feb. 8.

RICHARD STONE, New Oxford-street, Middlesex, tallow-chandler and oilman, dealer and chapman, Feb. 18 at half-past 1, and March 26 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Scames, 55, Old Broad-street, City.—Petition dated Jan. 28.

MARTHA MUNDY, Longcot, near Farringdon, Berkshire, tailor and woollensaper, trader, dealer and chapman, (late of Barking Cheroxyard, London), Feb. 15 at 2, and March 12 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Ashley & Watts, Lord Mayor's Court Office, Old Jewry.—Petition filed Jan. 25.

THOMAS THORNTON, Newark, Nottinghamshire, smallware dealer, Feb. 15 and March 19 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Watson & Rescoe, 27, Worship-st., Finsbury.—Petition filed Jan. 23.

WILLIAM PALMER and FRANCIS MORTON PALMER, Loughborough, Leicestershire, hosiers, dealers and chapmen, Feb. 15 at 10, and March 22 at half-past 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Inglesant, Loughborough; Wright, Birmingham.—Petition dated Jan. 25.

GEORGE ROGERS, Compstall-bridge, Cheshire, grocer, dealer and chapman, Feb. 15 and March 6 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Dearden, Manchester.—Petition filed Jan. 28.

WILLIAM HULME, Manchester, tailor and draper, dealer and chapman, Feb. 16 and March 6 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Wilson, Manchester.—Petition filed Dec. 24.

MEETINGS.

George J. Robins, Ilford, Essex, victualler, Feb. 16 at 11, Court of Bankruptcy, London, last ex.—*William Freeman*, Edgeware-road, Middlesex, licensed victualler, Feb. 16 at 11, Court of Bankruptcy, London, and so.—*John Messers*, Jas. Linneman, and *Joseph Charles Berger*, Liverpool, merchants, Feb. 18 at 11, District Court of Bankruptcy, Liverpool, and so.—*John Serby*, Sheffield, Yorkshire, steel molder, Feb. 16 at 12, District Court of Bankruptcy, Sheffield, and so.—*Charles Pattinson*, Banbury, Oxfordshire, tailor, Feb. 28 at 11, Court of Bankruptcy, London, div.—*John Darby*, Dorset-mow, Dorset-sq., Middlesex, horse dealer, Feb. 26 at half-past 11, Court of Bankruptcy, London, div.—*James Deane Ireland*, Lewisham, Kent, licensed victualler, Feb. 26 at 12, Court of Bankruptcy, London, div.—*Francis K. Powell* and *Edmund T. Crawford*, Boulogne-sur-Mer, France, and Piccadilly, Middlesex, wine merchants, Feb. 26 at 11, Court of Bankruptcy, London, div. sep. est. of *Francis K. Powell*.—*John Batt* and *Thomas Batt*, Old Broad-st., London, dealers in silk, Feb. 26 at half-past 12, Court of Bankruptcy, London, fin. div.—*John Morrison*, Cheapside, London, tailor, Feb. 26 at 2, Court of Bankruptcy, London, fin. div.—*Wm. Poynter*, Upper Holloway, Middlesex, warehouseman, Feb. 26 at 11, Court of Bankruptcy, London, fin. div.—*S. Tippie*, Norwich, tailor, Feb. 26 at half-past 11, Court of Bankruptcy, London, fin. div.—*John Currie* and *Louis E. Selgnette*, Minsing-lane, London, merchants, Feb. 26 at 1, Court of Bankruptcy, London, fin. div.—*John Clark* and *Frederick Edw. L. Clark*, Pudding-lane, London, ship brokers, Feb. 26 at half-past 1, Court of Bankruptcy, London, fin. div.—*Thomas Oldaker*, High-street, Southwark, Surrey, hop merchant, Feb. 26 at 2, Court of Bankruptcy, London, div.—*Thomas Coates*, Sunderland, Durham, wine merchant, Feb. 28 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*John Angus*, Berwick-upon-Tweed, dealer in glass, Feb. 26

at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Thomas Fox*, *George Rippon*, *Christopher A. Wesson*, and *Wm. Lishman*, West-Cornforth, and Thralington, near West Cornforth, Durham, and Regent's-canal-basin, Middlesex, lime burners, Feb. 28 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, first and fin. div. sep. est. of *Thomas Fox*.—*Thomas Martin*, Liverpool, merchant, Feb. 26 at 11, District Court of Bankruptcy, Liverpool, div.—*John Hardley*, Manchester, tailor, Feb. 28 at 12, District Court of Bankruptcy, Manchester, div.—*J. Turnbull*, Scarborough, Yorkshire, linensaper, Feb. 28 at 11, District Court of Bankruptcy, Leeds, div.—*John Morfitt the younger*, New Wortley, Leeds, Yorkshire, flax spinner, Feb. 28 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Bentley M'Leod, Brixton-rise, Surrey, common brewer, Feb. 26 at 1, Court of Bankruptcy, London.—*William Alfred Glaser*, Tatbury, Gloucestershire, hatter, Feb. 27 at 11, District Court of Bankruptcy, Bristol.—*William Scott*, Earl's Heston, Dewsbury, blanket manufacturer, Feb. 28 at 11, District Court of Bankruptcy, Leeds.—*Daniel Haigh*, Linthwaite, Almondsbury, Yorkshire, and *Joseph Haigh*, Slaithwaite, Huddersfield, cloth manufacturers, Feb. 28 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

William Lancaster, Regent-street, Middlesex, dealer and chapman.—*George More M'Leod*, Stockwell, Surrey, common brewer.—*Richard Smith*, Droitwich, Worcestershire, corn dealer.—*William Cooper*, Coventry, Warwickshire, mercer.—*Paul Whitehead*, Bradford, Yorkshire, corn miller.—*Mark M'Gheerin*, Manchester, smallware manufacturer.—*Samuel Fisher Williams*, Liverpool, hosier.

PARTNERSHIP DECEASES.

Wm. Dryden, *Wm. Ritson Dryden*, *John Rollit*, and *Erasmus Hy. Dryden*, Kingston-upon-Hull, attorneys and solicitors, (under the firm of Dryden, Sons, & Rollit), so far as concerns *John Rollit*.

SEVERAL SEQUESTRATIONS.

Lewis Stewart, Edinburgh, auctioneer.—*James Reid*, Glasgow, accountant.—*Thomas Wilson*, Newark, manufacturer.—*J. & R. McNeill & Co.*, Glasgow, cabinet makers.—*James Bisset*, Old Meldrum, merchant.—*William Ross*, Burghhead, Elgin, shipowner.—*Anderson, Biggs, & Co.*, Glasgow and Edinburgh, carriers.—*John and James Dickson*, Blantyre, Lanarkshire, farmers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

J. Wilkinson, Liverpool, fruiterer, Feb. 11 at 10, Liverpool District County Court, at Liverpool.—*Andrew Tucker*, Plymouth, clerk to an attorney, Feb. 29 at 11, County Court of Gloucestershire, at Bristol.—*Frederick Fisher*, Snave, near Brookland, Kent, farm bailiff, Feb. 18 at 11, County Court of Kent, at Romney.—*Joseph Evans*, Liverpool, cartowner, Feb. 11 at 10, Liverpool District County Court, at Liverpool.—*James Schepfeld*, Liverpool, brickmaker, Feb. 11 at 10, Liverpool District County Court, at Liverpool.—*John Souleby*, Newcastle-upon-Tyne, cattle dealer, Feb. 20 at 10, County Court of Northumberland, at Newcastle.—*Thomas Brimmell*, Worcester, ropemaker, Feb. 25 at 2, County Court of Worcestershire, at Droitwich.—*Matthew Heywood Williams*, Feb. 14 at 10, County Court of Shropshire, at Bridgenorth.—*John Newman*, Shrewsbury, officer of excise, Feb. 19 at 10, County Court of Shropshire, at Shrewsbury.—*Eljah Elias the younger*, Shrewsbury, coal merchant, Feb. 19 at 10, County Court of Shropshire, at Shrewsbury.—*Robert Franklin*, Wem, Shropshire, auctioneer, Feb. 18 at 12, County Court of Shropshire, at Wem.—*George Young*, King's Lynn, Norfolk, draper, Feb. 9 at 2, County Court of Norfolk, at King's Lynn.—*John Wholer Shippen*, Terrington, St. Clement's, Norfolk, farmer, Feb. 9 at 2, County Court of Norfolk, at King's Lynn.—*William Warren*, Bridport, Dorsetshire, grocer, Feb. 20 at 12, County Court of Dorsetshire, at Bridport.—*Henry Joseph Hennesworth*, near Poutefract, Yorkshire, beer-house keeper

Feb. 20 at 10, County Court of Yorkshire, at Pontefract.—*George Davies*, Llandeloy, Pembrokeshire, farmer, Feb. 22 at 10, County Court of Pembrokeshire, at Haverfordwest.—*John Giles*, Woodbridge, Suffolk, ropemaker, Feb. 21 at 1, County Court of Suffolk, at Woodbridge.—*George William Fish*, Ventnor, Newchurch, Isle of Wight, Southampton, painter, Feb. 25 at 10, County Court of Hampshire, at Newport.—*John Leggett*, Gillingham, Suffolk, blacksmith, Feb. 18 at 2, County Court of Suffolk, at Eye.—*John Birdsall*, Leeds, Yorkshire, out of business, Feb. 22 at 10, County Court of Yorkshire, at Leeds.—*Owen Jones*, Pencoed, Bangor, Carnarvonshire, farmer, Feb. 8 at 11, County Court of Carnarvonshire, at Bangor.—*John Philip Schmidt*, Great Haywood, Staffordshire, tailor, Feb. 19 at 10, County Court of Staffordshire, at Stafford.—*William Summers*, South Lynn, Norfolk, general shopkeeper, Feb. 9 at 2, County Court of Norfolk, at King's Lynn.—*John Cuthbertson*, Newcastle-upon-Tyne, agent to a brewer, Feb. 20 at 10, County Court of Northumberland, at Newcastle.—*John Thompson*, Newcastle-upon-Tyne, hairdresser, Feb. 20 at 10, County Court of Northumberland, at Newcastle.—*Benjamin Wilson*, Heworth, Gateshead, Durham, hairdresser, Feb. 25 at 10, County Court of Durham, at Gateshead.—*William Paston*, Newcastle-upon-Tyne, painter, Feb. 20 at 10, County Court of Northumberland, at Newcastle.—*Joe Hutchinson*, Barton-upon-Humber, Lincolnshire, tailor, Feb. 26 at 11, County Court of Lincolnshire, at Barton-upon-Humber.—*Thomas Foul*, Newcastle-upon-Tyne, whitesmith, Feb. 20 at 10, County Court of Northumberland, at Newcastle.—*William Worrall*, Bedford, grocer, Feb. 21 at 2, County Court of Bedfordshire, at Bedford.—*Henry Thompson*, Sunderland, Durham, tailor, Feb. 20 at 10, County Court of Durham, at Sunderland.—*William Masters*, Shefford, Bedfordshire, baker, Feb. 21 at 10, County Court of Bedfordshire, at Biggleswade.—*Thomas Stansfield*, Idle, Calverley, Yorkshire, clothier, Feb. 23 at 11, County Court of Yorkshire, at Bradford.—*William Bryant*, Bristol, in no business, March 20 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 20 at 11, before the CHIEF COMMISSIONER.

George Fox, Woodland-st., Dalston, Middlesex, dealer in toys.—*John Grogan*, Stokebridge-terrace, Pimlico, Middlesex, pianoforte tuner.—*Patrick Finn*, Princes-road, Lambeth, Surrey, surveyor.

Feb. 19 at 11, before Mr. Commissioner HARRIS.

Wm. Simpson, Emma-street, Hackney-road, Middlesex, out of business.—*Wm. Reed*, Penton-place, Newington, Surrey, assistant to linendrapers.—*Thomas Carr*, Chapel-place, Belgrave-square, Middlesex, general dealer.—*Sir W. Twysden, Bart.*, York-buildings, New-road, Middlesex, not in any trade.

Feb. 21 at 11, before the CHIEF COMMISSIONER.

John Dobson, Old Gravel-lane, St. George's-in-the East, Middlesex, carpenter.

Feb. 21 at 10, before Mr. Commissioner LAW.

Sarah Webb, Denmark-hill, Camberwell, Surrey, dressmaker.—*Emma Webb*, Denmark-hill, Camberwell, Surrey, dressmaker.—*Thos. Brins Rogers*, Great Union-st., Newington-causeway, Surrey, tailor.—*John Johns the elder*, Lower Norwood, Surrey, gardener.

Saturday, Feb. 2.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Cook the elder, Manningtree, Essex, beer-house keeper, No. 71,970 C.; *Ashton Blogg*, assignee.—*Thomas Hensdon Gore*, Holywell-lane, Shoreditch, Middlesex, scale-maker, No. 45,582 T.; *Joseph George Todman*, assignee.—*Robert Devereux*, Welland, Worcestershire, shopkeeper, No. 70,707 C.; *Samuel George*, assignee.—*J. Mark the younger*, Great Dover-st., Newington, Surrey, baker, No. 61,183 T.; *Octavius Nutter*, assignee.—*Mary Rhodes*, Rough Lee, near Colne, Lancashire, farmer, No. 67,956 C.; *Richard Fielding*,

assignee.—*Thomas Allen*, Longton, Stoke-upon-Trent, Staffordshire, trunkmaker, No. 71,267 C.; *William Bowen*, assignee.

Saturday, Feb. 2.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—
(On their own Petitions).

George Clegg, Windmill-st., Tottenham-court-road, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*James Amis*, Cornwall-villas, Albion-road, Dalston, Middlesex, accountant: in the Debtors Prison for London and Middlesex.—*George Seager*, Wood-st., Cheapside, London, artificial flower manufacturer: in the Debtors Prison for London and Middlesex.—*Edward Wood*, Old-street, St. Luke's, Middlesex, carman: in the Queen's Prison.—*John Bell*, Upton-road North, De Beauvoir-town, Kingland, Middlesex, general commission agent: in the Debtors Prison for London and Middlesex.—*Henry Sheard*, Strand, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Fred. Moritz Bruggemeyer*, Great Percy-st., Pentonville, Middlesex, wholesale milliner: in the Debtors Prison for London and Middlesex.—*James Kite*, Wilton-terrace, New North-road, Islington, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—*Joseph Cornick*, Duke-street, West Smithfield, London, engraver: in the Debtors Prison for London and Middlesex.—*Edward Hall*, Gravel-lane, Southwark, Surrey, licensed victualler: in the Debtors Prison for London and Middlesex.—*Charles Loder*, Virgil-place, New-road, Middlesex, coal dealer: in the Debtors Prison for London and Middlesex.—*Alfred Knott*, Stoke next Guildford, Surrey, miller: in the Gaol of Horsemonger-lane.—*William Watison*, Greyhound-yard, Dulwich, Surrey, omnibus proprietor: in the Queen's Prison.—*John Sanderson*, Blackfriars-road, Surrey, fishing-tackle manufacturer: in the Gaol of Horsemonger-lane.—*Thomas Fisher* the younger, Moor-street, St. Ann's, Westminster, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Henry Galton*, Villiers-st., Strand, Middlesex, farmer: in the Debtors Prison for London and Middlesex.—*Joseph Hoggett*, Liverpool-buildings, Bishopsgate-street, London, brickmaker: in the Debtors Prison for London and Middlesex.—*Frederick Shouler*, Alfred-row, Shepherd's-bush, Middlesex, clerk to a coal merchant: in the Debtors Prison for London and Middlesex.—*James Chant*, Addison-place, King's-road, Chelsea, Middlesex, clerk to the Colonial Land and Emigration Commissioners: in the Debtors Prison for London and Middlesex.—*George Stevenson*, Wood's-place, Shepherd's-bush, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Robert Bailey*, Wigan, Lancashire, tailor: in the Gaol of Lancaster.—*Charles Butterfield*, Leeds, Yorkshire, lime dealer: in the Gaol of York.—*Richard Jury Bayfield*, Birmingham, accountant: in the Gaol of Coventry.—*Edward Day*, Newport, Monmouthshire, innkeeper: in the Gaol of Monmouth.—*Henry Day*, Newport, Monmouthshire, innkeeper: in the Gaol of Monmouth.—*Thomas Harker*, Liverpool, wheelwright: in the Gaol of Lancaster.—*Chas. Malpas*, Manchester, manager of an eating-house: in the Gaol of Lancaster.—*Thomas Pattinson*, Penny-street, Lancaster, butcher: in the Gaol of Lancaster.—*Charles Rigby*, Lancashire-hill, Heaton Norris, Lancashire, plumber: in the Gaol of Lancaster.—*Jane Varley*, Salford, Lancashire, grocer: in the Gaol of Lancaster.—*Godfrey Webster*, Manchester, commercial traveller: in the Gaol of Lancaster.—*G. Graves*, Pudsey Low-town, near Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.—*Joseph Hardy*, Sutton St. James, near Long Sutton, Lincolnshire, farmer: in the Gaol of Lincoln.—*Roger Rayner*, Horton, near Bradford, Yorkshire, stonemason: in the Gaol of York.—*Richard Simpson*, Horton, near Bradford, Yorkshire, stonemason: in the Gaol of York.—*Benjamin Stych*, Birmingham, toolmaker: in the Gaol of Coventry.—*Wm. C. Wright*, Birkenhead, Cheshire, civil engineer: in the Gaol of Chester.—*James Smith*, Newcastle-under-Lyme, Staffordshire, licensed victualler: in the Gaol of Stafford.—*Wm. Sharp*, Pudsey, near Leeds, Yorkshire, publican: in the Gaol of York.—*Fred. Butter*, Darlaston, near Walsall, Staffordshire, gun locksmith: in the Gaol of Stafford.—*Joseph Hadley*, Calf Heath-lane, near Penkridge, Staffordshire, coal agent: in the Gaol of Stafford.—*J. Rhodes*, Huddersfield, Yorkshire, sawyer: in the Gaol of York.—*John Sutcliffe*, Buxton, Derbyshire, out of business: in the Gaol of

Derby.—*The Rev. John Richards*, Cwmlithrydd, Llangendeirne, Carmarthenshire, clerk: in the Gaol of Carmarthen.—*H. K. Beaumont*, Huddersfield, Yorkshire, accountant: in the Gaol of York.—*George Ebbutt*, St. Neot's, Huntingdonshire, plumber: in the Gaol of Huntingdon.

(On Creditor's Petition).

Benjamin Hastings, Catfield, Norfolk, farmer: in the Gaol of Norwich.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 20 at 10, before Mr. Commissioner LAW.

Wm. W. Als, Princes-street, Gold Hawk-road, Hammer-smith, Middlesex, engraver.—*Henry Ascott*, Earl-street West, Marylebone, Middlesex, in no business.—*Edward Wood*, Old-street, St. Luke's, Middlesex, out of business.

Feb. 21 at 11, before Mr. Commissioner PHILLIPS.

Charles Chadwick Jones, Howley-place, Harrow-road, Paddington, Middlesex, serjeant at law.—*Rich. Burrows*, Leighton Buzzard, Bedfordshire, nurseryman.—*Mary Ann Welby*, Gloucester-grove, Old Brompton, Middlesex, spinster.—*Caroline Welby*, Gloucester-grove, Old Brompton, Middlesex, spinster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Bedfordshire, at BEDFORD, Feb. 21 at 2.

James Hughan, Bedford, tea dealer.

At the County Court of Hampshire, at WINCHESTER, Feb. 28.

Samuel May, Ryde, Isle of Wight, assistant linendraper.—*Robert Read* the younger, Newport, Isle of Wight, tailor.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, Feb. 20 at 10.

Anthony Nichol, Newcastle-upon-Tyne, commission agent.

At the County Court of Staffordshire, at STAFFORD, Feb. 19 at 10.

James Smith, Newcastle-under-Lyme, out of business.—*F. Butler*, Darlaston, near Walsall, gun locksmith.

At the County Court of Warwickshire, at COVENTRY, Feb. 26.

T. Jeavons, West Bromwich, Staffordshire, retail brewer.—*Wm. Tytherleigh*, Birmingham, ironmonger.—*R. Jury Bayfield*, Birmingham, clerk to an hotel keeper.—*Benj. Stych*, Birmingham, toolmaker.

At the County Court of Cardiganshire, at CARDIGAN, Feb. 20.

Evan Davies, Ffribach, Llangwnlle, farmer.

INSOLVENT DEBTORS' DIVIDENDS.

Robert W. Ormston, Manchester-square, Middlesex, shopman to a cheesemonger: 3s. 2½d. in the pound.—*John Lewis*, Narberth, Pembrokeshire, attorney at law: 4s. 4d. in the pound.—*James Hazard*, Shidfield, Droxford, Hampshire, retailer of beer: 15s. 10½d. in the pound.—*Thomas Hocken*, Carnhill, Gwincar, Cornwall, farmer: 3½d. in the pound.—*Wm. James Hughes*, Rosebury-place, Dalston, Middlesex, retired captain in the Navy: 6s. 0½d. in the pound.—*J. Baker Spooner*, Princes-street, Westminster-bridge-road, Surrey, captain in the Army, on half-pay: 2½d. in the pound.—*F. C. Armstrong*, deceased, New-street, Dorset-square, Middlesex, retired clerk in the East India Company's service: 4s. 9d. in the pound.—*James Dudley*, Whitecross-street, St. Luke's, Middlesex, victualler: 1s. in the pound.—*Alfred Cocks*, Broadway, Westminster, Middlesex, oil and colour man: 2s. 3½d. in the pound.—*Thomas Williams*, Upper Whitecross-street, Middlesex, pork butcher: 5s. in the pound.—*Thomas Bury*, Exeter, Devonshire, carrier: 1½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

Charles Boulbee, Kirdford, Sussex, clerk, Feb. 16 at 11, Court-house, Portugal-street, Lincoln's-inn-fields, London, sp. aff.

FRIDAY, FEBRUARY 8.

BANKRUPTS.

EDWARD WOLSEY, Werekham, Norfolk, corn merchant, miller, and baker, Feb. 19 and March 22 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Mason, Werekham, Norfolk; Cree & Son, Gray's-inn, London.—Petition filed Feb. 2.

CHARLES CAWSTON, Upper Dorset-place, Clapham-road, Surrey, and Temple-street, Kingland, Middlesex, grocer, Feb. 21 at 1, and March 19 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Morris & Co., Moorgate-st.-chambers, Moorgate-st., City.—Petition filed Feb. 6.

THOMAS COOPER the elder, Wolverhampton, Staffordshire, locksmith, Feb. 22 and March 15 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Bowen, Stafford; Smith & James, Birmingham.—Petition dated Jan. 29.

ARTHUR FORD, Stokefleming, Devonshire, miller, dealer and chapman, Feb. 19 and March 12 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Hockin, Dartmouth; Stogdon, Exeter.—Petition filed Jan. 31.

MEETINGS.

Wm. Tyer, Gosport, Southampton, bootmaker, Feb. 19 at 1, Court of Bankruptcy, London, last ex.—*Nephthali Hart*, King-st., Finsbury-square, Middlesex, watch manufacturer, Feb. 22 at 11, Court of Bankruptcy, London, last ex.—*John Hawke*, King William-street, London, hatter, Feb. 19 at 11, Court of Bankruptcy, London, last ex.—*Francis Clementson*, Shelton, Staffordshire, earthenware manufacturer, Feb. 19 at 12, District Court of Bankruptcy, Birmingham, last ex.—*Charles Pottinger*, Banbury, Oxfordshire, tailor, Feb. 21 at 11, Court of Bankruptcy, London, and ac.—*Wm. Sheward*, Norwich, pawnbroker, Feb. 27 at 12, Court of Bankruptcy, London, and ac.; March 1 at 11, div.—*Wm. Robert Smart*, Chancery-lane, and Thistle-grove, Brompton, Middlesex, auctioneer, Feb. 20 at 12, Court of Bankruptcy, London, and ac.—*Wm. Maunder*, Peel-place, Kensington Gravel-pits, Middlesex, baker, Feb. 20 at 11, Court of Bankruptcy, London, and ac.—*Thos. Keasley* and *Jos. Leonard Keasley*, Church-st., Blackfriars-road, Surrey, and Walsall, Staffordshire, tanners, Feb. 20 at 1, Court of Bankruptcy, London, and ac.—*Edward Nairne*, Warnford-court, London, stockbroker, Feb. 20 at 12, Court of Bankruptcy, London, and ac.—*Lewis Joel*, Little Argyle-st., Regent-street, Middlesex, jeweller, March 5 at 11, Court of Bankruptcy, London, and ac.—*Edwin Loveless*, Portsea, Southampton, grocer, March 5 at 11, Court of Bankruptcy, London, and ac.—*James Bowler*, Crescent, Southwark-bridge-road, Southwark, Surrey, hat manufacturer, March 12 at 1, Court of Bankruptcy, London, and ac.—*Thomas Greenhow* and *Cephas Foster*, Old-street, St. Luke's, and St. John-st., Clerkenwell, Middlesex, rectifiers, March 12 at 12, Court of Bankruptcy, London, and ac.—*James Pullin*, Wickwar, Gloucestershire, haulier for hire, March 8 at 12, District Court of Bankruptcy, Bristol, and ac.—*Wm. Berridge*, Cheltenham, Gloucestershire, grocer, Feb. 26 at 11, District Court of Bankruptcy, and ac.—*Wm. Morris*, St. Clear's, Carmarthenshire, general-shop keeper, Feb. 21 at 11, District Court of Bankruptcy, Bristol, and ac.—*Edwin Whitehall*, Newport, Monmouthshire, watchmaker, March 5 at 11, District Court of Bankruptcy, Bristol, and ac.—*William Stothert*, *George Wood*, *John White Little*, *John Cottle Spender*, *Wm. Brunton*, *Joseph Rusher*, and *William Henry Buckland*, Abchurch-lane, London, and Maesteg, Glamorganshire, iron manufacturers, March 7 at 11, District Court of Bankruptcy, Bristol, and ac. sep. est. of *Wm. Brunton*.—*James Paterson*, Manchester, tailor, Feb. 19 at 12, District Court of Bankruptcy, Manchester, and ac.; March 5 at 12, div.—*Joseph Henry Clegg*, Royton, Lancashire, cotton spinner, Feb. 19 at 12, District Court of Bankruptcy, Manchester, and ac.—*Wm. Lakin Bowyer*, Macclesfield, Cheshire, grocer, Feb. 27 at 12, District Court of Bankruptcy, Manchester, and ac.; March 6 at 12, div.—*Henry Brower*, Manchester, fancy box manufacturer, Feb. 19 at 12, District Court of Bankruptcy, Manchester, and ac.; March 4 at 12, div.—*John Hardley*, Manchester, tailor, Feb. 21 at 12, District Court of Bankruptcy, Manchester, and ac.—*J. Swoden* the younger, Ingoldmells, Lincolnshire, farmer, Feb. 20 at half-past 12, District Court of Bankruptcy, Kingston-

upon-Hall, and. ac.—*Joseph Birley*, Doncaster, Yorkshire, grocer, Feb. 23 at 12, District Court of Bankruptcy, Sheffield, aud. ac.; March 2 at 12, div.—*John Turnbull*, Scarborough, Yorkshire, linen-draper, Feb. 21 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Morfitt* the younger, New Wortley, Leeds, Yorkshire, flax spinner, Feb. 21 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Edward Gittins*, Ercall Magna, Shropshire, farmer, March 4 at 1, District Court of Bankruptcy, Birmingham, aud. ac.—*T. Martin*, Liverpool, merchant, Feb. 25 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Appleton*, Eccleston, near Prescot, Lancashire, joiner, Feb. 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Fox*, *George Rippon*, *Christopher Akenhead Wawn*, and *William Lishman*, West Cornforth, and Thrislington, Durham, lime burners, Feb. 26 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. sep. ests. of *T. Fox* and *C. A. Wawn*.—*John Angus*, Berwick-upon-Tweed, dealer in glass, Feb. 26 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thomas Costes*, Sunderland, Durham, wine merchant, Feb. 26 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Steele*, Newcastle-upon-Tyne, innkeeper, Feb. 26 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*James B. Firmin*, Little Chesterford, Essex, limeburner, March 1 at half-past 11, Court of Bankruptcy, London, div.—*Richard Grimby*, Banbury, Oxfordshire, wine merchant, March 1 at 12, Court of Bankruptcy, London, div.—*Henry Bridges*, Oxford-street, Middlesex, cabinet maker, March 4 at half-past 11, Court of Bankruptcy, London, div.—*Geo. Francis*, Rayleigh, Essex, out of business, March 5 at 11, Court of Bankruptcy, London, div.—*Samuel Leggett*, Norwich, innkeeper, March 7 at half-past 1, Court of Bankruptcy, London, div.—*Samuel Mullen*, Ironmonger-lane, Cheapside, London, hotel-keeper, March 2 at 11, Court of Bankruptcy, London, div.—*D. W. Acraman*, *Wm. E. Acraman*, *A. J. Acraman*, *Wm. Morgan*, *Thos. Holroyd*, and *Jas. N. Franklyn*, Bristol, ship-builders, March 6 at 11, District Court of Bankruptcy, Bristol, div.—*John Lucas*, Cardiff, Glamorganshire, general-shop keeper, March 11 at 11, District Court of Bankruptcy, Bristol, fin. div.—*James Macwilliam*, Gloucester, hosier, March 14 at 11, District Court of Bankruptcy, Bristol, div.—*J. Dawson*, Fairford, Gloucestershire, maltster, March 7 at 11, District Court of Bankruptcy, Bristol, div.—*James Hancock*, Hanley, Staffordshire, hop merchant, Feb. 26 at 12, District Court of Bankruptcy, Birmingham, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Edw. T. Delefield, Mivart's Hotel, Brook-street, Grosvenor-square, and Willow-bank, Fulham, Middlesex, brewer, March 2 at half-past 11, Court of Bankruptcy, London.—*T. Keesley* and *J. L. Keesley*, Church-street, Blackfriars-road, Surrey, and Walsall, Staffordshire, tanners, March 1 at 12, Court of Bankruptcy, London.—*Henry Bridges*, Oxford-st., Middlesex, cabinet maker, March 4 at 12, Court of Bankruptcy, London.—*Francis Golding*, Paralle, Tunbridge Wells, Kent, grocer, March 2 at 1, Court of Bankruptcy, London.—*Jas. Alexander*, Great Winchester-st., London, merchant, March 2 at half-past 11, Court of Bankruptcy, London.—*Isaac Rowles*, Abingdon, Berkshire, innkeeper, March 2 at 11, Court of Bankruptcy, London.—*John Hill*, Prospect-place, Holloway, Middlesex, builder, March 5 at 1, Court of Bankruptcy, London.—*John Jones*, Knightsbridge-terrace, Knightsbridge, Middlesex, wine merchant, March 1 at 1, Court of Bankruptcy, London.—*J. Peake*, Oricklade, Wiltshire, draper, March 1 at 11, Court of Bankruptcy, London.—*Richard Verney*, Stow-in-the-Wold, Gloucestershire, veterinary surgeon, March 1 at 11, Court of Bankruptcy, London.—*Benj. Leach*, Watford, Hertfordshire, saddler, March 1 at 1, Court of Bankruptcy, London.—*Edwin Loveless*, Portsmouth, Southampton, greaser, March 5 at 11, Court of Bankruptcy, London.—*Richard Nott*, Bristol, iron merchant, March 4 at 11, District Court of Bankruptcy, Bristol.—*Thos. Peter Collins*, Bristol, tailor, March 4 at 12, District Court of Bankruptcy, Bristol.—*Matthew Flaig* and *John Alexander*, Bath, Somersetshire, watchmakers, March 5 at 11, District Court of Bankruptcy, Bristol.—*Chas. D. Makepeace* and *Robt. Strong*, Birmingham, screw manufacturers, March 8 at 12, District Court of Bankruptcy, Birmingham.—*William Lyon*

Blackley, Sheffield, Yorkshire, innkeeper, March 2 at 12, District Court of Bankruptcy, Sheffield.

To be granted, unless an Appeal be duly entered.

John D. Anderson, Pavement, Moorfields, London, linen-draper.—*Jacob Jacobs*, Canterbury, Kent, auctioneer.—*Robt. Busby*, Wood-street, Bethnal-green, Middlesex, cowkeeper.—*T. Holcroft*, Manchester, silk manufacturer.—*John Robinson*, Portwood, within Brinnington, Cheshire, cotton spinner.—*George Chapman*, Old Swan, near Liverpool, victualler.—*Wm. Lawton*, Liverpool, auctioneer.—*Fred. Palmer*, Bristol, wine merchant.—*Richard Truswell*, Sheffield, Yorkshire, banker.—*John Thuell*, Buckfastleigh, Devonshire, woollen manufacturer.—*Henry Gore*, Cheltenham, Gloucestershire, plumber.

PARTNERSHIP DISSOLVED.

Charles Champion and *Henry Barham*, Austinfrs., Old Broad-st., London, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

George Skene, Aberdeen, manufacturer.—*Angus Johnston*, Mairtoun Canal-bridge, Inverness, rope manufacturer.—*A. Leitch & Co.*, Glasgow, livery-lace manufacturers.—*James Nicoll*, jun., Errol, Perthshire, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Jones, Bristol, cabinet maker, March 6 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Franks*, Winterfold and Godalming, Surrey, labourer, Feb. 25 at 2, County Court of Surrey, at Godalming.—*John Colloway*, West Bromwich, Staffordshire, bricklayer, Feb. 13 at 1, County Court of Staffordshire, at Oldbury.—*James Dixon*, Walsall, Staffordshire, pork butcher, Feb. 15 at 12, County Court of Staffordshire, at Walsall.—*William Harvey*, Crediton, Devonshire, innkeeper, March 4 at 10, County Court of Devonshire, at Crediton.—*John Griffiths*, Gloucester, out of business, March 11 at 10, County Court of Gloucestershire, at Gloucester.—*Joseph Heisman*, Canterbury, Kent, watchmaker, Feb. 14 at 11, County Court of Kent, at Canterbury.—*Isaac Bees*, Llanvrechua Upper, Monmouthshire, licensed retailer of beer, Feb. 26 at 10, County Court of Monmouthshire, at Pontypool.—*James Smith*, Ipswich, Suffolk, porter, Feb. 22 at 10, County Court of Suffolk, at Ipswich.—*John Septimus Clarke*, Ipswich, Suffolk, tobaccoconist, Feb. 22 at 10, County Court of Suffolk, at Ipswich.—*James Capon*, Ipswich, Suffolk, licensed victualler, Feb. 22 at 10, County Court of Suffolk, at Ipswich.—*George E. Neville*, Wymondham, Norfolk, innkeeper, Feb. 22 at 10, County Court of Norfolk, at Wymondham.—*George Thomas*, Bristol, furnishing ironmonger, March 13 at 11, County Court of Gloucestershire, at Bristol.—*J. Gabb*, Gloucester, painter, March 11 at 10, County Court of Gloucestershire, at Gloucester.—*Charles Lovell*, Bristol, in no business, March 20 at 11, County Court of Gloucestershire, at Bristol.—*John Murray*, Bristol, carpenter, March 20 at 11, County Court of Gloucestershire, at Bristol.—*Joseph Hadden*, Bristol, butcher, Feb. 27 at 11, County Court of Gloucestershire, at Bristol.—*M. Heisman*, Canterbury, Kent, clockmaker, Feb. 14 at 11, County Court of Kent, at Canterbury.—*James Burgess*, Tunstall, Walsall, Staffordshire, retailer of beer, Feb. 22 at 10, County Court of Staffordshire, at Hanley.—*Charles Heaven*, Bristol, accountant, March 27 at 11, County Court of Gloucestershire, at Bristol.—*Edwin Smith*, Bristol, green-grocer, March 27 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Burnett*, Portsea, Hampshire, tailor, Feb. 26 at 10, County Court of Hampshire, at Portsmouth.—*John Goodwin*, Canterbury, Kent, butcher, Feb. 14 at 11, County Court of Kent, at Canterbury.—*William Matthews*, Walsall, Staffordshire, provision dealer, Feb. 15 at 12, County Court of Staffordshire, at Walsall.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 22 at 10, before Mr. Commissioner LAW.

William Poppy, Nutford-place, Edgeware-road, Middlesex, tailor.

Feb. 23 at 11, before Mr. Commissioner PHILLIPS.
William Smith, Stepney-causeway, Ratcliff, Middlesex, out of business.—Henry Hudson, Adam-street, Rotherhithe, Surrey, out of business.—Alexander Smith, High-street, Shadwell, Middlesex, butcher.

Feb. 25 at 11, before Mr. Commissioner PHILLIPS.
Francis Hanfray, Cromwell-orchard, Cromwell-lane, Old Brompton, Middlesex, veterinary surgeon.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 22 at 11, before Mr. Commissioner HARRIS.
Francis Martin, Holloway-place, Holloway, Middlesex, commission agent for the sale of preserved meats.—Joseph Dacey, Upper Whitecross-street, St. Luke's, Middlesex, baker.—Joseph Hall, Brighton-terrace, Brixton, Surrey, attorney-at-law.—Thomas Brey, Drummond-street, Easton-square, Middlesex, proprietor of race-horses.—William Charles Fuss, High-street, Edgware, Middlesex, tailor.—Jane Hopkins, widow, Lower Serle's-place, Temple-bar, housekeeper.

Feb. 22 at 10, before Mr. Commissioner LAW.
William Pilsworth, Love-lane, Eastcheap, London, out of business.

Feb. 23 at 11, before Mr. Commissioner PHILLIPS.
James William Bolton, High-street, Shadwell, Middlesex, grocer.

Feb. 25 at 11, before the CHIEF COMMISSIONER.
James Chant, Addison-place, King's-road, Chelsea, Middlesex, senior clerk to the Colonial Land and Emigration Commissioners.—Henry Sheard, Strand, Middlesex, tailor's foreman.—William Peckie, Percy-street, Tottenham-court-road, Middlesex, bronze manufacturer.—William Beadell, Leather-lane, Holborn, Middlesex, rug merchant.—John Sanderson, Blackfriars-road, Surrey, fishing tackle manufacturer.—James Amis, Cornhill-villas, Albion-road, Dalston, Middlesex, accountant.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Huntingdonshire, at HUNTINGDON, Feb. 23 at 1.

George Ebbutt, St. Neot's, plumber.

At the County Court of Warwickshire, at WARWICK, Feb. 25.

Edward Moore, Nepton-on-the Hill, farmer.—Chas. Thos. Parks, Wolverhampton, Staffordshire, in no business.

At the County Court of Yorkshire, at YORK CASTLE, Feb. 23 at 10.

James Henry Carr, Leeds, out of business.—Richard Simpson, Horton, near Bradford, stonemason.—Roger Rayner, Hoston, near Bradford, stonemason.—Wm. Sharp, Pudsey, near Leeds, out of business.—Charles Butterfield, Leeds, out of business.—Robert Robson, Huddersfield, draper.—Joseph Sawcote, Huddersfield, tinner.—Thomas Barroclough, Milbark, near Leeds, cloth merchant.—Edward Batty, Barnsley, pork butcher.—John Brown, Horsfall Borobridge, assistant linendraper.—George Gresson, Pudsey, near Leeds, cloth manufacturer.—William Butler, Thornhill, near Dewsbury, farmer.—John Kitson, Upper Rawfold's, Cleckheaton, near Leeds, cardmaker.—Charles Harrison, Stoneferry, near Hull, out of business.—Matthew Holdsworth, Barnsley, near Leeds, clothier.—John Rhodes, Huddersfield, sawyer.

MARRIAGES.

John Stares, Emsworth, Warrington, Hampshire, groom, Feb. 26 at 12, at Walker's, Havant.

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LONDON, FEBRUARY 16, 1850.

THE rule lately laid down by the Lord Chancellor in *Craddock v. Piper*, (14 Jur., part 1, p. 97), with reference to the costs to be allowed to a trustee acting as solicitor, requires careful consideration, with a view to its application, in order to avoid falling into the error of supposing it more extensive than it really is. The rule laid down in the case referred to is, that a trustee, being a solicitor, and acting as such in business which is the proper business of the trustee, is only entitled to his costs out of pocket; but that if he acts as a solicitor for other parties, being either his co-trustees, or his cestuis que trustent, in that which is their business as cestuis que trustent, or the joint business of himself and his co-trustees, and not his exclusive business as trustee, he is entitled to his costs. A difficulty arose in *Craddock v. Piper* as to the application of this rule where the business was the joint business of the trustee and his co-trustees and the cestuis que trustent, the question being, whether the incapacity of the trustee to charge for his own business, should absorb or be merged in his capacity to charge for the business of his co-trustees or his cestuis que trustent; and the Lord Chancellor held, that if the costs incurred in the business of the other parties were not increased by the trustee's business being done as part of it, the trustee would be entitled to his costs; but if any greater costs were incurred, by his joining his business to theirs, than would have been incurred on their behalf if they had acted separately, to the extent of the excess, the trustee would not be entitled to his costs.

The case of *Craddock v. Piper* had reference to the costs of a suit; but we apprehend the principle of the decision applies, and was intended to apply, to business

out of court, as well as to the business of proceedings at law or in equity. Now, let us consider the application of the rule to various kinds of business out of court. Take, for instance, the case of a mortgagee with a power of sale. Hitherto it has always been considered that a mortgagee, being a solicitor, selling under his power, could not charge the mortgagor with any costs in respect of his own professional business done in the matter of the sale. Does *Craddock v. Piper* make, in this case, any difference? The answer will, we conceive, depend on this—whether the mortgagee, in so acting, is acting in his own proper business as mortgagee, or in the business of the mortgagor. And as there cannot, we apprehend, be much doubt, that although the expenses of the sale are generally chargeable to the mortgagor, yet the business of conducting it is the proper business of the mortgagee, who is the vendor, and not of the mortgagor, the mortgagee will still be incapable, if, being a solicitor, he conducts the business of the sale, of charging his own professional costs. But if the case were of several trustees of a settlement, with power of selling, and they sell, and one of them, being a solicitor, acts in the matter of the sale as the solicitor of the trustees, then we conceive that his case would fall within the rule of *Craddock v. Piper*, and that, contrary to what has been certainly the generally received notion in the Profession, he would be entitled to his costs. So in respect to any business done by a trustee of a will or settlement, being a solicitor, properly and strictly on behalf of the cestuis que trustent, we conceive such trustee will be entitled to his costs;—understanding, of course, by business properly and strictly done on behalf of the cestuis que trustent, business in which they would, quite independently of the trustee, be represented by another solicitor; and not business in

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which their interests are represented by the trustee; and through him by his solicitor: for in the latter case the business would be the proper business of the trustee himself.

Having regard to *Graddock v. Piper*, the doctrine, as stated by Mr. Jarman, (Byth. Prec. 338, 9th ed.; and 9 Jarm. 731, 3rd ed.), must be considered as too broadly put; as the learned Editor of the Precedents there states it in this form, that "a solicitor, who fills the office of trustee, is unable to charge for business transacted for the trust estate," whereas the rule is, that he may charge for such business, provided it is the business of others, and not his own proper and exclusive business.

It may also be doubted whether the clause suggested in 9 Jarm. Byth. 339, and frequently adopted in settlements, for enabling a trustee solicitor to charge for business done by him for the trust estate as if he were a stranger, will have any effect where the business done is done for cestuis que trustent, not sui juris, and whose interests are, therefore, in effect, represented by the trustee; because the right of the trustee does not appear to depend upon any preceding contract between the trustee and the settlor, but on the single question, whose is the business done. Now, if business is done on behalf of infants or unborn objects of a settlement, it is clear that that is the proper business of the trustee who represents the interests of such objects; and therefore the trustee would have no right to charge, whatever might have been his contract with the adult settlor, for such business, so far as it is his.

ENGLISH COPYRIGHT IN FOREIGN COMPOSITIONS.

Some misapprehension appears to exist, at least among the laity, as to the present state of the law respecting a foreign author's copyright in this country. It has been supposed that the case of *Boosey v. Purday* (13 Jur., part 1, p. 918) has settled the question adversely to the foreigner; but that case did not come within the present Copyright Act, and the decision, even as regards the construction of the repealed acts, is wholly unsupported by authority, is opposed to several decisions of at least equal weight, and is now under appeal. It appears to us to be also untenable in principle.

In *Boosey v. Purday*, Bellini, being an alien, resident in the Austrian dominions, had assigned the copyright of his unpublished opera, "Le Sonnambula," to Ricordi, an alien, also resident abroad. Ricordi, coming to London, assigned the copyright to Boosey, who published the work in London on the same day on which it was first published at Milan, but a few hours later—a circumstance which the Court (overruling the decision of Pollock, C. B., at Nisi Prius, commented upon 12 Jur., part 2, p. 323) held to be immaterial. The publication was in 1831, so that the case was governed by the old copyright acts. The Court of Exchequer held that Boosey had no copyright.

The substance of the judgment of the Court, delivered by Pollock, C. B., was as follows:—No Court of common law had decided the question, (this must mean when the Court of Exchequer first expressed its opinion in *Chappell v. Purday*, 14 M. & W. 308). In *Clementi v. Walker* (2 B. & Cr. 861) it was to be collected that the Court of King's Bench thought that a foreigner was not entitled to the statutory right. The Lord Chancellor, in *Guichard v. Mori*, (9 L. J., O. S., Ch., 227), and the Vice-Chancellor, in *Delondra v. Shaw*, (Id. 237), had expressed opinions against the right of

a foreigner; but the latter judge had afterwards intimated that a foreigner might have a copyright, and had directed the question to be tried at law. In the meantime Lord Abinger decided in favour of the right. (*D'Almaine v. Boosey*, 1 Y. & C. 298; and see *Chappell v. Purday*, 4 Y. & C. 485). In the state of the authorities, somewhat conflicting as they stood at the time of the decision in the second case of *Chappell v. Purday*, (14 M. & W. 303), the Court of Exchequer thought they ought not to be precluded from putting what they considered the true construction on the statutes. Subsequently *Cocks v. Purday* (5 C. B. 860; 12 Jur., part 1, p. 677) had been decided by the Court of Common Pleas, and followed by the Court of Queen's Bench in *Boosey v. Davidson*, (since reported, 13 Jur., part 1, p. 678), simply, as it seemed, because it had been so decided. But those cases were not binding, because the question on the construction of the English statutes had not been discussed and decided in them. The learned Chief Baron then proceeded to say that a foreigner had no copyright in England by the common law; that his right, if he had any, must depend on the statutes; and that the Legislature must be considered *prima facie* to legislate for its own subjects by birth or residence; and the object of the statutes was clearly not to encourage the importation of foreign books and their first publication here, but to promote the cultivation of the intellect of its own subjects.

We think that this judgment does not add weight to the decision which it accompanied. It assumes instead of discussing the question. It does not correctly represent the effect of the authorities. They are not conflicting; but the opinion of the Court of Exchequer stands alone and unsupported. The question had been distinctly decided the other way by the Courts of Common Pleas and Queen's Bench, and by Lord Abinger, C. B., sitting in equity; and the foreigner's right had been taken for granted in *Clementi v. Walker*, *Bentley v. Forster*, and in the first case of *Chappell v. Purday*; and it had not been denied in *Guichard v. Mori*. The view of the construction of the statutes which the Court of Exchequer considers as new had been fully discussed, either by the counsel or by the Court, in *Clementi v. Walker*, *D'Almaine v. Boosey*, *Cocks v. Purday*, and *Boosey v. Davidson*. It was indeed the only thing that could be discussed in the three latter cases. In the two last cases the judgment in the second case of *Chappell v. Purday* was pressed upon the attention of the Court; and in *Boosey v. Davidson* it was attempted to distinguish *Cocks v. Purday* as a decision not applicable to the statute of Anne. The Court of Exchequer suggests that the sole object of the Legislature was to benefit British authors; but it is very obvious, from the language of the statutes, that the Legislature intended a benefit to the public, by encouraging the production of useful books;—that the advantage of readers, rather than of authors, was contemplated. If authors alone had been considered, the term of copyright would not have been limited.

The existing law applicable to this question cannot be understood apart from its history. The common-law right of an author and his representatives to restrain others from selling copies of his unpublished works has always been recognised, and still subsists. Thus, in *The Duke of Queensberry v. Shebbeare*, (2 Eden, 329); the publication of Lord Clarendon's History of the Reign of Charles the Second was restrained on the application of his executors, who had the MS., then nearly a century old. Other authorities to the same effect are *Webb v. Ross*, (cited 4 Burr. 2330; 3 Swanst. 674); *Pope v. Curl*, (2 Atk. 342); *Macklin v. Richardson*, (Amb. 694); *Thompson v. Stanhope*, (Id. 737); *Southey v. Sherwood*, (2 Mer. 436); *Pritchard v. Gee*, (2 Swanst. 425); *Palay's case*, (cited 2 V. & B. 23); *Perceval v. Phipps*, 2 V. & B. 19; *Morris v. Kelly*,

(1 J. & W. 481); and *Abernethy v. Hutchinson*, (2 L. J., O. S., Ch., 209). In *Prince Albert v. Strange*, (1 Mac. & G. 43), Lord Cottenham said, "The property of an author or composer of any work, whether of literature, art, or science, in such work, unpublished, and kept for his private use or pleasure, cannot be disputed after the many decisions in which that right has been affirmed or assumed." That this right is a species of property, and not a mere right to privacy, is shown by *Paley's case*, and by *Macklin v. Richardson* and *Abernethy v. Hutchinson*, where the publication of the work in a parish, on the stage, or in the lecture-room, was held not to destroy the right, (though now the public representation of a play is by statute equivalent to publishing it as a book. 5 & 6 Vict. c. 45, s. 20).

This right is not lost by publication. Publication in the lecture-room, or on the stage, did not destroy it; nor, in the case of letters, does the receiver take, with the right of property in the letter itself, a right to publish its contents; that remains with the writer. It is not lost by circulating manuscript copies, as in *Paley's case*; nor even by selling such copies, as in *White v. Geroch*, (2 B. & A. 298). There is nothing in the act of selling printed copies which should have a different effect. It is a mode of enjoying, and not an abandonment of the property. The author gives the use of his work to the public in a modified manner, and upon certain terms, which cannot be varied without his consent, (see *Abernethy v. Hutchinson*, 1 L. J., O. S., Ch., 209), any more than (as was said in *Tonson v. Collins*) the borrower or purchaser of a key, admitting him to private grounds, can make other keys from that, and sell them.

The early development of the law of copyright was impeded by many circumstances. In the infancy of the art of printing, the profits of authorship were not thought of; the value of the materials, and the labour and skill employed in setting up the types of a book, constituted the principal elements of its cost; and copyright was first claimed by the printer, who sought to be protected from rival editions until his own was sold off. This was secured, in individual cases, by exclusive license from the Crown, which assumed not only a right of censorship over the press, but also the sole use of the art of printing, pretending that it had been introduced into the realm at the expense of the Crown. When the author's copy became valuable, protection was sought for it from the same source. The prerogative was then stronger than the law. These patents to individuals, the privileges of the Stationers' Company, (which was established in the reign of Philip & Mary as a kind of literary inquisition), and the several acts for licensing printed books, (the last of which expired in 1694,) hindered the free application of the common law to this species of property; and the usurpations of the prerogative were scarcely abated before the common-law right was abolished, in respect of published works, by the stat. 8 Anne, c. 19; but its existence up to the passing of that act is clearly established. The exclusive licenses granted to individuals were always understood to be an exercise of the Crown's right of censorship, founded in each case on the author's title to his copy. They were never classed with the monopolies prohibited by the statute of James I. The inherent right of an author and his assigns to his copy, independently of royal grant, is assumed in all the acts of Parliament and ordinances for the regulation of printing which preceded the statute of Anne. Thus, in the Licensing Act of the 13 & 14 Car. 2, c. 33, s. 6, it is enacted, that no one shall print any book "which any person, by force or virtue of any letters-patent granted as aforesaid, or (where the same is not granted by any letters-patent) by force or virtue of any entry thereof duly made in the register-book of the said Company of Stationers, or in the register-book of either of the universities respectively, has, or shall have, the

right, privilege, authority, or allowance solely to print; without the consent of the owner of such book." Now, registry with the Stationers' Company conferred no property, but was merely a condition precedent to the liberty of publishing at all; and it was expressly held that this statute gave no new right, but only the new remedy of an action of debt. (*The Stationers' Company v. Parker*, Skin. 233). The preamble to the stat. 8 Anne, c. 19, is to the same effect:—"Whereas printers, booksellers, and other persons have of late frequently taken the liberty of printing, reprinting, and publishing books and other writings, without the consent of the authors or proprietors of such books and writings, to their very great detriment" &c.; language clearly referring to the invasion of an existing right, though at that time the licensing acts had expired, and the notion of a privilege of monopoly by royal grant was exploded. Indeed, the title of the Crown itself to what were called prerogative copies (such as law books, the translation of the Bible, almanacs, &c.) was always founded on the expense bestowed by the Crown, directly or indirectly, on the compilation of those works. Again, in the enacting part of the statute of Anne, the copyright in books then already printed was secured to the authors, if they had not transferred their copies, or to their assignees, for twenty-one years, "and no longer." There could be no assignees if there were no property to assign. The copyright in books then "already composed, and not printed and published, or that should thereafter be composed," is secured to the authors and their assignees for the term of fourteen years from the day of the first publishing the same, "and no longer." The leaving of a longer term to works already published than was allowed to future works, shews that the act was understood to be restrictive of an existing right. The original bill was intended to secure a perpetual copyright.

Before the ultimate decision in *Donaldson v. Beckett*, (2 Bro. P. C. 129; 4 Burr. 2303), it was held in several cases that the statute merely gave additional remedies for a term, leaving the author to his right at common law after that term had expired. (*Tonson v. Walker*, 3 Swanst. 673, and the cases there cited; *Millar v. Taylor*, 4 Burr. 2303). In *Tonson v. Collins*, cited in *Millar v. Taylor*, the Court of Queen's Bench, and afterwards the Court of Exchequer Chamber, were prepared to decide unanimously to that effect, but the case was dismissed on the ground of suspected collusion. Those cases were overruled by the House of Lords in *Donaldson v. Beckett*, as it seems on the satisfactory ground that the words "and no longer," in the statute of Anne, cut down the perpetuity of the common-law right, in cases within the statute, to the period therein specified. The ground of that decision can only be surmised; but as seven of the eleven judges who were consulted, and also Lord Mansfield, who did not speak, were of opinion that at the common law copyright was not destroyed by publication, it is plain that *Donaldson v. Beckett* did not overrule the prior decisions as to the effect of publication. Of the four judges who spoke the other way, one (Eyre, B.) thought that an author had not the sole right of printing even before publication; and two (Perrott, B., and Adams, B.) thought, that, though he had that right, he could not bring an action against a person printing from his manuscript, unless the copy was obtained by fraud or violence—errors so obvious as greatly to lessen the weight of the opinions with which they were associated.

The objection so strenuously urged by Mr. Justice Yates and others, against including copyright in that notion of property which comprises such incorporeal rights as advowsons, tolls, and franchises, seems absurd enough. It was also beside the question, which was not as to the proper denomination of the right, but whether it existed by the common law in a book printed, as it certainly did in a book merely written,

and whether it existed independently of the statute, as it certainly did by virtue of it. The common law recognises other rights than those of property, and has a scope as unlimited as that of the Legislature itself.

It was also urged that literary compositions ought to stand on the same footing as inventions in manufactures; but not to insist on the marked distinction between a literary work, which has an unmistakeable individuality both in itself and in its origin, and an invention, which is a mere conception of a mode of action, that may, and generally does, occur independently to many minds, so that it would be impossible to distinguish between piracy and re-invention, the same considerations of expediency which are the grounds for giving protection in either case, and upon which the institution of property in general is founded, supply a reason for limiting the rights of the inventor more strictly than those of the author. Copyright merely prevents others from making a pecuniary profit of the particular work, and in no way limits the use of the ideas contained in it, or restrains others in the exercise of their own abilities; for two authors cannot write the same book, though two men may invent the same machine. A patent not only secures to the inventor the use of his invention, but prevents another, who may arrive at the same result by his own ingenuity, from turning it to account. To give a perpetual monopoly to the one who happens first to perceive and put in practice that which in the natural progress of the arts is sure to occur to many, would be to fetter and not to encourage improvement.

The right of an alien author to protection for his copies by the common law does not appear to have been expressly decided; but it is a necessary consequence of the rules of law with respect to aliens. With some exceptions as to land, founded on feudal and political reasons, an alien, whether resident here or abroad, has the same rights in respect of property and contracts as a natural-born subject would have under the same circumstances. It was resolved in *Calvin's case* (7 Rep. 17) that "an alien friend may by the common law have, acquire, and get, within the realm, by gift, trade, or other lawful means, any treasure or goods personal whatsoever, as well as any Englishman, and may maintain any action for the same; for if they should be disabled to acquire and maintain these things, it were in effect to deny unto them trade and traffic, which is the life of every island." (See Dy. 2 b; Cro. Car. 8; 2 Taunt. 37; Bac. Ab., "Alien," D.; Com. Dig., "Alien," C. 5). So completely are all the personal rights of an alien, not involving the possession of land, or the exercise of constitutional privileges, recognised by our law, that an alien resident abroad may maintain an action for the slander of his reputation in this country; *Tuerloote v. Morison*, (Yelv. 198; Bulst. 134); *Pisani v. Lawson*, (8 Scott, 182), in which last case the doctrine was rested upon general considerations of justice, and not on the expediency of encouraging commerce. This maxim of the common law has been confirmed by a declaratory enactment in the recent Alien Act, 7 & 8 Vict. c. 66, s. 4. An alien author was therefore clearly entitled by the common law to the same protection of his property in his unpublished compositions as a native, and the act of publishing or procuring the publication of the work here could not be an abandonment of that right in the one case more than in the other. It seems to us that the right might have been carried further; for as publication here is not an abandonment of the copy, publication abroad, whether by a British subject or by a stranger, cannot be so, unless that interpretation is put upon it by the local law, in which case it might perhaps be thought to defeat the right everywhere. But see *Beard v. Egerton*, (3 C. B. 97). Subject, however, to the effect of any local law, it seems to be clear

that by the common law an author, whether native or alien, and whether he first published here or abroad, had a perpetual copyright in his works.

The question remains, whether this right has been taken away by the Legislature in the case of an alien. The provisions of the copyright acts must be as extensively applicable as the common law which they superseded, unless their operation is limited by express words or necessary implication. The stat. 8 Anne, c. 19, after giving protection for twenty-one years to books then already printed, confers on the author of a book or books "already composed, and not printed and published, or that shall hereafter be composed," a copyright for fourteen years from the day of the first publishing the same. Here the word "composed" is evidently used merely for the purpose of distinguishing the class of future books from that of existing copyrights, which are secured for a longer term; and it cannot be taken to refer to compositions in this country exclusively, although in *Clementi v. Walker* (2 B. & Cr. 861) the words "printed and published" appear to have been read with that limitation. In the stat. 12 Geo. 2, c. 36, "for prohibiting the importation of books reprinted abroad, and first composed or written and printed in Great Britain," the conjunctive "and" certainly makes the fact of composition in this country essential to bring a book within the protection of that act; but any argument founded on that expression is displaced by the language of the stat. 41 Geo. 3, c. 107, "for the further encouragement of learning," &c., where the words are, (sect. 7), "first composed, written, or printed and published in any part of the United Kingdom." The act now in force (5 & 6 Vict. c. 45) is very differently expressed; and by the repeal of the former acts, and the omission of the important words "and no longer," furnishes some ground for contending that the common-law copyright is restored, and may now subsist concurrently with or after the expiration of the statutory title. (See *Boosey v. Tolkien*, 5 C. B. 476). In the interpretation clause of that act, the word "assign" is defined to mean "every person in whom the interest of an author in copyright shall be vested, whether derived from such author before or after the publication of any book." The 3rd section vests the copyright of every book published after the passing of the act in the author or his assigns; and as the copyright of an alien is certainly not taken away by the statute before publication, it follows that at least the assignee of such copyright resident here, and first publishing here, is entitled to the benefit of the act. The word "composed" occurs but once in the act. The expression throughout is "first publication," except in the 17th section, which is founded on the prohibitory clauses in some of the repealed acts, (referred to in an article on this subject in 12 Jur., part 2, p. 322), and prohibits under penalties the unauthorised importation of copies "of any printed books first composed or written, or printed and published, in any part of the United Kingdom, wherein there shall be copyright."

There is nothing, then, in the repealed acts, or in that now in force, to place aliens upon a less advantageous footing than natural-born subjects in respect of copyright. Either they give to an alien the same copyright which they give to a subject, or they do not apply to him at all, and leave him his common-law right. An expression in the first international Copyright Act, 1 & 2 Vict. c. 59, s. 1, has been supposed to sanction a different construction of the repealed acts. That act authorises the Crown, by order in Council, to direct that the authors of books which shall be published in any foreign country, to be therein specified, shall have the sole liberty of printing and reprinting such books within the British dominions, for such term as her Majesty shall direct, "not exceeding the term which authors, being British subjects, are now by law entitled

to in respect of books first published within the United Kingdom." The widest inference that can be drawn from this is, that it was thought there might be a doubt as to the rights of aliens. The object was to furnish a precise measure of the term to be granted; not to risk the efficacy of the enactment on the correctness of a reference purporting to embrace every case, but to select an instance which should be free from doubt. If the expression suggests a doubt as to aliens, it leaves the question open, whether aliens, if not within the copyright acts, may have a perpetual copyright by the common law. That the intention was not to refer to every possible case of copyright is also plain from the reference to *first* publication here, coupled with the enactment in the 14th section of the same act, "that the author of any book, to be, after the passing of this act, first published out of her Majesty's dominions, shall have no copyright therein within her Majesty's dominions, otherwise than such (if any) as he may become entitled to under this act:" an enactment not declaratory of an existing law, but confined to publication subsequent to its passing, and implying that, under the prior law, first publication here was not essential, although, as we shall see, *prompt publication* was. A further inference from that enactment is, that foreign authors first publishing here would still be entitled to copyright. That act, however, furnishes no guide to the construction of the stat. 5 & 6 Vict. c. 45, and it has been repealed by the stat. 7 & 8 Vict. c. 112, which re-enacts the provision in the 14th section of the repealed act, but does not repeat the reference to "authors being British subjects."

The conclusion which we have drawn from general considerations is well supported by authority. That an alien author, temporarily residing in this country, and first publishing here, is entitled to protection, was assumed in *Back v. Longman*, (Cowp. 623).

In *Clementi v. Walker* (2 B. & Cr. 861) a piece of music had been published at Paris, in June, 1814, with the sanction of the composer, who in the September following, being in England, verbally sold the work to the plaintiffs, who published here in the same month. In 1818 the defendant published without the plaintiffs' authority. In 1822 the composer executed a formal assignment, in writing, to the plaintiffs. It was held, that, the parol assignment being ineffectual, there was no publication here, either by the author or by his assignee, before the year 1822, and that the work, having in the meantime been fairly published by a third party, became *publici juris*. The Court was of opinion that the statutes contemplated books *printed* as well as published here, and that no protection was intended to be given where the author prints and publishes abroad only, without ever publishing here, or without publishing within a reasonable time after the publication abroad, and before any other person has fairly published on his own account. Whether the act of publishing abroad made the work at once *publici juris* it was not necessary to decide. In that case the Court evidently assumed, that if the author had first published here he would have been entitled to protection; so that, as far as it goes, it favours the alien's claim. Bayley, J., said, "The case, therefore, is reduced to this—whether an author, who first publishes abroad, and, instead of using due diligence to publish here, forbears to publish until some other, fairly and without blame, publishes here, can insist upon his privilege." What privilege, if he could not have a copyright under any circumstances? Again: "The different statutes which give protection to authors do not give it as to all books, but as to *printed books* only." This observation is the key to the whole of the judgment; and, if it had been well considered by the Court of Exchequer in *Boosey v. Purday*, might have led them to a different conclusion.

Delondre v. Shaw (2 Sim. 237) has no bearing on this question. In that case an application to restrain the piracy of a label constituting a trade-mark was refused, because the bill did not charge a fraudulent use of the mark to promote the sale of a spurious article. The Vice-Chancellor added, that the case could not be rested on copyright, because the Court does not protect the copyright of a foreigner. That was said with reference to a label which not only was first printed and published in France, but was not a literary composition at all, and, as an engraving, was, by the express terms of the stat. 17 Geo. 3, c. 57, unprotected, because engraved out of Great Britain. That was the single point decided in *Page v. Townsend*, (5 Sim. 395).

Guichard v. Mori (9 L. J., O. S., Ch., 227) was a mere repetition of *Clementi v. Walker*.

In *D'Almaine v. Boosey*, (1 Y. & C. 288), Lord Abinger, C. B., sitting in equity, decided that the English assignee of a foreign work, first publishing here, was entitled to copyright.

In *Bentley v. Forster* (10 Sim. 329) the assignee of a foreign author domiciled in England was held entitled to protection for a work which had been composed, as it seems, abroad. The Vice-Chancellor continued the injunction, and said that, in his opinion, a work first published here was protected, although composed abroad by an alien. He directed an action to be brought, according to the usual practice, but the defendant submitted.

In *Chappell v. Purday* (4 Y. & C. 485) the question was the same as in *Clementi v. Walker*, and Lord Abinger, C. B., treating it as doubtful, refused to interfere by injunction; but he reiterated his opinion on the general principle. In the second case of *Chappell v. Purday* (14 M. & W. 303) the point actually decided was the same as in *Clementi v. Walker*. The Court said, that clearly a foreigner, first publishing abroad, could neither have nor confer a copyright here at common law or by the statute; and though admitting that the authorities pointed to a different conclusion, they added that they thought it doubtful whether a foreigner, *not resident here*, could have an English copyright at all. This doubt was the germ of the decision in *Boosey v. Purday*.

In *Cocks v. Purday* (5 C. B. 860*) the case came within the present Copyright Act, and after full argument it was decided that there was copyright in the work of an alien residing abroad, published here, contemporaneously with the publication abroad, by an English publisher, claiming under a verbal assignment from the author which was valid according to the law of the place where it was made. The decision was expressly founded on the general principle, that an alien may acquire personal rights and maintain personal actions in respect of injuries to them in this country.

In *Boosey v. Davidson*, (13 Jur., part 1, p. 678), as in *Boosey v. Purday*, the work in question was Bellini's *Sonnambula*; so that the case differed from that of *Cocks v. Purday*, in not coming within the stat. 5 & 6 Vict. c. 45. It was fully argued, and the Court of Queen's Bench decided in favour of the copyright.

The authorities, with the exception of *Boosey v. Purday*, are consistent with each other, and with principle. We think they are also consistent with justice and sound policy. It is true that in some countries, the United States for example, no copyright can be secured in the works of an author who is not a resident citizen; but it would neither be a good example to other countries, nor any compensation to English authors, if the cheap sale of American works in this country were promoted by robbing American authors of their copyright.

G. S.

* Mr. T. Webster has published a full report of this case.

CIRCUITS OF THE JUDGES.

(Mr. Justice COLERIDGE will remain in Town).

SPRING CIRCUITS, 1860.	MIDLAND.	HOME.	NORFOLK.	NORTHERN.	OXFORD.	N. WALES.	S. WALES.	WESTERN.
	Ld. Denman B. Parke	L. C. J. Wilde J. Maule	L. C. B. Pollock J. Wightman	B. Alderson B. Rolfe	J. Patteson B. Platt	J. Crosswell	J. Williams	J. Erie J. Talfourd
Saturd., Feb. 16	.....	.....	.....	Lancaster	.....	.....	.....	.....
Wednesday.. 20	.....	.....	.....	Appleby	.....	.....	.....	.....
Friday..... 22	.....	.....	.....	Carlisle	.....	.....	.....	.....
Tuesday.... 26	.....	Hertford	.....	.....	.....	.....	.....	.....
Wednesday.. 27	.....	.....	.....	Newcastle & Abingdon	.....	.....	.....	.....
Thursday... 28	.....	.....	.....	[Town	.....	.....	.....	Winchester
Saturd., March 2	.....	.....	.....	Durham	Oxford	.....	Swansea	.....
Monday.... 4	.....	Chelmsford	.....	.....	.....	.....	.....	.....
Tuesday.... 5	N'thampton	.....	.....	.....	.....	.....	.....	.....
Wednesday.. 6	.....	.....	.....	.....	Worcester &	.....	.....	.....
Thursday.... 7	.....	.....	.....	York & City	[City	.....	.....	Salisbury
Friday..... 8	Oakham	.....	.....	.....	.....	.....	.....	.....
Saturday.... 9	Lincoln and	.....	.....	.....	.....	.....	Haverford-	.....
Monday.... 11	[City	Lewes	Aylesbury	.....	.....	.....	[west & Tn.	.....
Tuesday.... 12	.....	.....	.....	.....	Stafford	Welchpool	.....	Dorchester
Wednesday.. 13	.....	.....	.....	.....	.....	Bala	Cardigan	.....
Thursday.... 14	.....	.....	Bedford	.....	.....	.....	.....	.....
Friday..... 15	Nottingham	.....	.....	.....	.....	.....	.....	Exeter & City
Saturday... 16	[& Town	.....	.....	.....	.....	.....	.....	.....
Monday.... 18	.....	Maidstone	Huntingdon	.....	.....	Carnarvon	Carmarthen	.....
Wednesday.. 20	Derby	.....	Cambridge	.....	Shrewsbury	Beaumaris	.....	.....
Thursday... 21	.....	.....	.....	Liverpool	.....	.....	.....	.....
Friday..... 22	.....	.....	.....	.....	.....	.....	Brecon	.....
Saturday... 23	.....	.....	.....	.....	Hereford	Ruthin	.....	Bodmin
Monday.... 25	Leicest. & B.	.....	.....	.....	.....	.....	.....	.....
Tuesday.... 26	.....	.....	Bury St. Ed.	.....	.....	.....	.....	.....
Wednesday.. 27	.....	Kingston	.....	.....	Monmouth	Mold	Presteign	.....
Thursday... 28	Coventry	.....	.....	.....	.....	.....	.....	.....
Saturday.... 30	Warwick	.....	.....	.....	Gloucester & Chester	.....	Chester	Taunton
Tuesday, April 2	.....	.....	Norwich and	.....	[City	.....	.....	.....

London Gazette.

TUESDAY, FEBRUARY 12.

BANKRUPTS.

GEORGE WOODS, Portsea, Southampton, saddler and harness maker, dealer and chapman, Feb. 21 and March 22 at 11, Court of Bankruptcy, London: Off. Ass. Cannon; Sols. H. & R. W. Ford, Portsea; Low, 65, Chancery-lane. —Petition dated Feb. 7.

WILLIAM POWNALL, Macclesfield, Cheshire, silk manufacturer, dealer and chapman, Feb. 25 at half-past 1, and April 8 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Hudson & Co., 23, Bucklersbury. —Petition filed Jan. 31.

JOHN BAKER, Cheltenham and Gloucester, Gloucestershire, boot and shoe manufacturer, and dealer in boots and shoes, Feb. 20 at 12, and March 30 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Bromley & Aldridge, Gray's-inn; Depree, 9, Lawrence-lane, Chapside. —Petition dated Jan. 28.

JAMES PATCHING, Henfield, Sussex, brewer, dealer and chapman, Feb. 21 and March 26 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Chalk, Brighton; Freeman & Bothamley, Coleman-st., London. —Petition dated Feb. 12.

EDWARD STEWARD, Boughton, Norfolk, corn merchant, dealer and chapman, Feb. 21 at 1, and March 25 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Reed, Brothers, Downham-market; Walpole, Northwold, Norfolk; Pringle & Co., 3, King's-row, Bedford-row, London. —Petition filed Jan. 30.

JOHN HENDERSON MUSGRAVE, Eastcott-pl., Ferdinand-st., Hampstead-road, Middlesex, embroiderer, dealer and chapman, (carrying on the said business of embroiderer in partnership with Louis Holbeck, New Bond-st., Middlesex), Feb. 26 and March 28 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Baylis & Drew, Redcross-street. —Petition dated Feb. 5.

ROBERT POTTERS CROFT, Lansdowne-villas, Brompton, and Haymarket, Middlesex, tavern keeper, dealer and chapman, Feb. 25 at 1, and April 8 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Willis, 1, Bankers-bury. —Petition filed Feb. 7.

WILLIAM WOODBRIDGE, Mincing-lane, London, colonial broker, Feb. 26 at 1, and March 26 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Leigh, 16, George-st., Mansion-house. —Petition filed Feb. 9.

ROBERT SAVORY, St. Owen, Herefordshire, plumber and glazier, Feb. 23 and March 25 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Gough, Hereford; Bloxham, Birmingham. —Petition dated Feb. 4.

BENJAMIN DREWRY, Hulme, Lancashire, joiner and builder, Feb. 22 and March 15 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. J. & B. Whitworth, Manchester. —Petition filed Feb. 2.

ROBERT CHATTAM, Goole, Yorkshire, innkeeper, dealer and chapman, March 1 and April 4 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Garwood, York; Blackburn, Leeds. —Petition dated Feb. 8.

WILLIAM EDMUND SMITH, Plymouth, Devonshire, shipwright, dealer and chapman, Feb. 23 and March 14 at 11, Hall of Commerce, Plymouth: Off. Ass. Herniman; Sols. Kelly, Plymouth; Stogdon, Exeter. —Petition filed Feb. 8.

JOHN HARRINGTON, Manchester, commission agent, dealer and chapman, also carrying on business as a farmer at Buthorpe, Causton, Nottinghamshire, Feb. 22 and March 15 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Ashley, Newark; Sale & Co., Manchester. —Petition filed Feb. 6.

MARRIAGES.

George Barton and John Barton, Manchester, copper roller manufacturers, Feb. 25 at 12, District Court of Bankruptcy, Manchester, sp. aff. sep. est. of John Barton. —John Hawke, King William-street, London, hatter, Feb. 19 at 11, Court of Bankruptcy, London, last ex. —Wm. Tyer, Gosport, South-

napton, shoemaker, Feb. 10 at 1, Court of Bankruptcy, London, last ex.—*Thomas Keating*, St. Paul's-churchyard, London, druggist, Feb. 21 at 2, Court of Bankruptcy, London, and. ac.; March 5 at 2, div.—*Paul Whitehead*, Bradford, Yorkshire, corn miller, Feb. 22 at 11, District Court of Bankruptcy, Leeds, and. ac.—*Robert Teyler*, Little Horton, near Bradford, Yorkshire, dealer in provisions, Feb. 22 at 11, District Court of Bankruptcy, Leeds, and. ac.—*William Ackroyd*, Bradford, Yorkshire, shopkeeper, Feb. 22 at 11, District Court of Bankruptcy, Leeds, and. ac.—*William Perkins*, Dorasport, Devonshire, cabinet maker, Feb. 23 at 11, District Court of Bankruptcy, Plymouth, and. ac.—*Roger Elliott*, Plymouth, Devonshire, builder, Feb. 23 at 11, District Court of Bankruptcy, Plymouth, and. ac.—*Alexander Rowe*, Plymouth, Devonshire, grocer, Feb. 23 at 11, District Court of Bankruptcy, Plymouth, and. ac.—*Joseph Crook*, Plymouth, Devonshire, merchant, Feb. 23 at 11, District Court of Bankruptcy, Plymouth, and. ac.—*George Stone Baron*, Plymouth, Devonshire, money scrivener, Feb. 23 at half-past 10, District Court of Bankruptcy, Plymouth, and. ac.—*Henry Sydenham Bell*, Plymouth, Devonshire, wine merchant, Feb. 23 at 11, District Court of Bankruptcy, Plymouth, and. ac.—*Charles Sneezum*, Woodbridge, Suffolk, grocer, March 5 at 12, Court of Bankruptcy, London, div.—*Pearson Richard Morrison*, Hammersmith, Middlesex, out of business, March 9 at 12, Court of Bankruptcy, London, div.—*John Matthews* and *John Martin*, Chichester-place, King's-cross, Middlesex, drapers, March 5 at 11, Court of Bankruptcy, London, div.—*Thomas Potts*, Birmingham, metallic tube manufacturer, March 4 at 11, District Court of Bankruptcy, Birmingham, and. ac.—*John Sowden* the younger, Ingoldmells, Lincolnshire, farmer, March 6 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, div.—*George Pries*, Merthyr Tydvil, Glamorganshire, innkeeper, Feb. 25 at 11, District Court of Bankruptcy, Bristol, div.—*John Stockdale*, Liverpool, soap manufacturer, March 5 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary, and or before the Day of Meeting.

Henry Coppin, Colchester, Essex, shoemaker, March 6 at 1, Court of Bankruptcy, London.—*William Elliott*, Freeling-street, Caledonian-road, Islington, Middlesex, baker, March 6 at half-past 12, Court of Bankruptcy, London.—*William Woods* and *Samuel Thomas*, Chapsale, London, wholesale hardwaremen, March 6 at 11, Court of Bankruptcy, London.—*Charles Haylock*, March, Isle of Ely, Cambridgeshire, cabinet maker, March 6 at 1, Court of Bankruptcy, London.—*Edward Smallwood*, Craggstone, Sandal Magna, Yorkshire, schoolmaster, March 6 at 12, Court of Bankruptcy, London.—*Thos. Hubert*, Hungerford-market, Hungerford-street, Strand, Middlesex, lighterman, March 5 at half-past 11, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

Thos. Clark, Lakenham, Norwich, appraiser.—*Ebbsworth Tapson*, Cardiff, Glamorganshire, coal agent.—*James Newton*, Ashton-under-Lyne, Lancashire, innkeeper.—*Henry Shaws*, Gerrard-street, Islington, Middlesex, china and glass dealer.—*William Bates*, Tithby, Nottinghamshire, horse dealer.

SOURCES SUGGESTIONS.

John Wilson, Gurneek, ironmonger.—*Robert Scot*, deceased, Govan, Lanarkshire, banker.—*Jas. Brown*, Glasgow, commission agent.—*Peter Bell*, deceased, Crosston, Aberlennno, Forfarshire, farmer.—*George Christie*, Glasgow, writer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. King, Birmingham, glazier, Feb. 25 at 2, County Court of Warwickshire, at Birmingham.—*Jos. Fryzer*, Birmingham, retail brewer, Feb. 25 at 2, County Court of Warwickshire, at Birmingham.—*Jos. Roston*, Kingnorton, Worcestershire, retail brewer, Feb. 25 at 2, County Court of Warwickshire, at Birmingham.—*Wm. Hen. Britton*, Birmingham, writing clerk, Feb. 25 at 2, County Court of Warwickshire, at Birmingham.—*James Hill Cheate*, Aston, near Birmingham, brushmaker, Feb. 25 at 2, County Court of Warwickshire, at Birmingham.—*John M. Harness*, Boston, Lincolnshire, footman, March 5

at 10, County Court of Lincolnshire, at Boston.—*Alfred Waldron*, Stourbridge, Worcestershire, labourer, Feb. 18 at 10, County Court of Worcestershire, at Stourbridge.—*Thos. Smith*, East Retford, Nottinghamshire, joiner, March 6 at 11, County Court of Nottinghamshire, at East Retford.—*William Austey*, Wick-Wick, Frampton Cotterell, Gloucestershire, farmer, March 30 at 11, County Court of Gloucestershire, at Chipping Sodbury.—*Isaac Barnett*, Bristol, clothier, Feb. 27 at 11, County Court of Gloucestershire, at Bristol.—*Richard Cooper*, Oldham, Lancashire, schoolmaster, Feb. 15 at 12, County Court of Lancashire, at Oldham.—*Benjamin Pready*, Warwick, writing clerk, Feb. 25 at 10, County Court of Warwickshire, at Warwick.—*Jos. Greaves*, Oldham, Lancashire, tin-plate worker, Feb. 15 at 12, County Court of Lancashire, at Oldham.—*Thomas Cook*, Horncastle, Lincolnshire, grocer, March 7 at 10, County Court of Lincolnshire, at Horncastle.—*Thos. Salisbury*, Wrexham, Denbighshire, solicitor's clerk, Feb. 20 at 10, County Court of Denbighshire, at Wrexham.—*Wm. Jewey*, Winchester, Southampton, out of business, Feb. 28 at 10, County Court of Hampshire, at Winchester.—*Wm. Thos. Carpenter*, New Alresford, Southampton, out of business, Feb. 28 at 10, County Court of Hampshire, at Winchester.—*John Lee*, Winchester, Southampton, carpenter, Feb. 28 at 10, County Court of Hampshire, at Winchester.—*Alex. M'Crle*, Bath, tailor, Feb. 16 at 11, County Court of Somersetshire, at Bath.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 26 at 11, before Mr. Commissioner HARRIS.

Robert John Lemay, Arbour-square, Commercial-road East, Middlesex, clerk to a brewer.—*Thomas Abbe*, Great Hermitage-street, St. George's-in-the-East, Middlesex, brewer's drayman.

Feb. 27 at 11, before the CHIEF COMMISSIONER.

Thomas Dearden, Charles-street, Hampstead-road, Middlesex, haberdasher.—*Charles Russell*, Queen-square, Bartholomew-close, out of business.—*Thomas Wankorn* the younger, Norris-street, Haymarket, Middlesex, shoemaker.

Feb. 27 at 10, before Mr. Commissioner LAW.

John Trueman, Middle-street, North-fields, Peckham, Surrey, porter to a cheese factor.

Saturday, Feb. 9.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

Joseph Trou, Netherton, Worcestershire, pattern maker, No. 71,925 C.; *Wm. C. Marsh*, assignee.—*Wm. Tennant*, Hook Norton, Oxfordshire, farmer; No. 71,969 C.; *John Wilks*, assignee.—*Thomas Wilks*, Tedmaston, near Banbury, Oxfordshire, farmer's bailiff, No. 71,865 C.; *Timothy Harris*, assignee.—*Wm. Harrison*, Otley, Yorkshire, saddler, No. 71,958 C.; *John Hartley*, assignee.—*John Medcalf*, Bocking-end, Essex, butcher, No. 71,952 C.; *Eli Tyler*, assignee.

Saturday, Feb. 9.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

H. Dunthorn, Russell-street, Bermondsey, Surrey, cooper: in the Gaol of Horsemonger-lane.—*Thos. W. Dawson*, Dover-road, Surrey, carman: in the Queen's Prison.—*W. G. Barry*, St. Ann's-court, Soho, Middlesex, appraiser: in the Debtors Prison for London and Middlesex.—*Moses Joseph*, Bevis Marks, Houndsditch, London, fruit merchant: in the Debtors Prison for London and Middlesex.—*J. N. F. Reynolds*, Hanworth, near Hounslow, Middlesex, beer-shop-keeper: in the Debtors Prison for London and Middlesex.—*Wm. T. Truail*, Hertford-street, Warren-street, Fitzroy-sq., Middlesex, marble turner: in the Debtors Prison for London and Middlesex.—*Charles Williams* the younger, Penryn, Cornwall, grocer.—*Frederick Atkinson*, Upper Berkeley-st. West, Connaught-square, Middlesex, fishmonger: in the Queen's Prison.—*John Riga*, Coles-place, Cole-street, Dover-road, Southwark, Sur-

rey, cooper: in the Gaol of Horsemonger-lane.—*J. Thompson*, Long-lane, Bermondsey, Surrey, cheesemonger's salesman: in the Debtors Prison for London and Middlesex.—*John Bartlett*, Belvidere, Cambridge-road, Bethnal-green, Middlesex, broker: in the Debtors Prison for London and Middlesex.—*Elias Leacy Sutherland*, Susannah-street, East India-road, Poplar, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*John Belbin*, Beaumont-street, Portland-place, St. Marylebone, Middlesex, coachmaker: in the Queen's Prison.—*Elizabeth James*, Edward-st., Portman-square, Middlesex, milliner: in the Queen's Prison.—*Wm. Goddard*, Lambeth-road, Southwark, Surrey, greengrocer: in the Gaol of Horsemonger-lane.—*Elizabeth King*, widow, York-road, Lambeth, Surrey: in the Queen's Prison.—*Jonas Griffin*, Adderbury, East Oxfordshire, cattle salesman by commission: in the Gaol of Oxford.—*William Hodgkinson*, Manchester, file manufacturer: in the Gaol of Lancaster.—*J. Eldred*, Grantham, Lincolnshire, in no business: in the Gaol of Lincoln.—*J. Lewis*, Glynn Mill, Llangendairne, Carmarthenshire, miller: in the Gaol of Carmarthen.—*David Pugh*, Caecorin, Llanedy, Carmarthenshire, timber merchant: in the Gaol of Carmarthen.—*Wm. Roberts*, Llandebye, Carmarthenshire, shopkeeper: in the Gaol of Carmarthen.—*Alex. Daggett Butcher*, Birmingham, draper: in the Gaol of Coventry.—*John Andrews*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Wm. Bastard*, Gara Bridge Mill, Slapton, Devonshire, miller: in the Gaol of St. Thomas the Apostle.—*John Farrer*, Sheffield, Yorkshire, fork grinder: in the Gaol of Radford Peverel.—*Thomas Howell*, Llwyn-drissey, Llangan, Carmarthenshire, farmer: in the Gaol of Carmarthen.—*Wm. King*, Great Yarmouth, Norfolk, fisherman: in the Gaol of Norwich.—*Thos. Lanning*, Southsea, near Portsmouth, Hampshire, baker: in the Gaol of Winchester.—*John Lillierap*, Mavey, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*John Pryn*, Buckland, Monachoram, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*J. Tubb*, Basingstoke, Hampshire, owner of race-horses: in the Gaol of Winchester.—*Jas. Williams*, Lower Trannere, Cheshire, paper ruler: in the Gaol of Lancaster.—*Lewis Williams*, Aberdave, Glamorganshire, grocer: in the Gaol of Cardiff.—*Louis Petre*, Landport, Portsea, Hampshire, engineer: in the Gaol of Winchester.—*John Scott*, Clitheroe, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Stockdale Thompson*, Northgate, Blackburn, Lancashire, cordwainer: in the Gaol of Lancaster.—*Richard Courtenay*, Knowstone, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*David Morris*, Caeslump, Pembrey, Carmarthenshire, butcher: in the Gaol of Carmarthen.—*Henry Newton*, Sheerness, Kent, licensed victualler: in the Gaol of Maidstone.—*John Peares*, Holne, Devonshire, labourer: in the Gaol of St. Thomas the Apostle.—*James Peares*, Holne, Devonshire, labourer: in the Gaol of St. Thomas the Apostle.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 26 at 10, before Mr. Commissioner LAW.

James Chapman, Flood's-terrace, Bereasford-street, Walworth, Surrey, clerk to a stockbroker.

Feb. 28 at 11, before the CHIEF COMMISSIONER.

Frederick Shouler, Alfred-place, Shepherd's-bush, Middlesex, commission agent to a coal merchant.—*Francis Westcoat Wyman*, Springfield, near Chelmsford, Essex, tallow melter and chandler.

Feb. 28 at 10, before Mr. Commissioner LAW.

Wm. James, Blenheim-street, Bond-street, Middlesex, out of business.

Feb. 28 at 11, before Mr. Commissioner PHILLIPS.

Wm. J. Tindley, College-st., Camden-town, Middlesex, out of business.—*Wm. Wattson*, Greyhound-yard, Dulwich, Surrey, omnibus proprietor.—*George Clegg*, Windmill-street, Tottenham-court-road, Middlesex, butcher.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at WINCHESTER, Feb. 28.

Thos. Lanning, Southsea, baker.—*John Tubb*, Basingstoke,

owner of race-horses.—*Louis Petre*, Landport, Portsea, engineer.

At the County Court of Carmarthenshire, at CARMARTHEN, Feb. 26 at 2.

Edward William Shackell, Carmarthen, bookseller.—*The Rev. John Richards*, Cwmlithryd, Llangendairne, clerk.—*David Pugh*, Llanedy, timber merchant.—*William Roberts*, Llandilofawr, toll collector.—*Thomas Howells*, Llwyndrity, Llangan, farmer.

At the County Court of Warwickshire, at COVENTRY, Feb. 26.

Alexander Daggett Butcher, Birmingham, out of business.

At the County Court of Oxfordshire, at OXFORD, Feb. 26.

Jonas Griffin, Adderbury East, cattle salesman.

At the County Court of Northumberland, at MORPETH, March 1 at 11.

John Oliver, Walbottle, banker.—*Wm. Lambert*, Bywell, innkeeper.

FRIDAY, FEBRUARY 15.

BANKRUPTS.

JOHN WORSELDINE, Cambridge, upholsterer, cabinet-maker and paperhanger, Feb. 27 and March 26 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Smith & Johnson, 35, Lincoln's-inn-fields.—Petition filed Feb. 7.

THOMAS SADLER and **WILLIAM EDMUND SADLER**, Brightlingsea, Essex, sailmakers, dealers and chapmen, Feb. 22 at 2, and April 5 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Abell, Colchester; Bull, Ely-place, Holborn.—Petition dated Jan. 28.

JAMES STEPHENSON, Arbour-terrace, Commercial-road, Middlesex, draper, dealer and chapman, Feb. 26 at half-past 11, and March 28 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Sale & Co., Manchester; Reed & Co., Friday-street, Cheapside.—Petition dated Feb. 9.

JOHN PRICE, Birmingham, cabinet and chair maker, dealer and chapman, Feb. 26 and March 26 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Cheshire, Birmingham.—Petition dated Feb. 6.

HUGH PARRY, Abergale, Dembighshire, druggist and grocer, dealer and chapman, March 1 and 22 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Dodd, Liverpool.—Petition dated Feb. 12.

DAVID BLACKBURN, Hebdon-bridge-lanes, Heptonstall, **THOMAS PICKLES**, Hebdon-bridge, Heptonstall, **DAVID CRABTREE**, Bloomergate, Midgley, and **WILLIAM BLACKBURN**, Hebdon-bridge-lanes, Heptonstall, Halifax, Yorkshire, cotton spinners, dealers and chapmen, (trading under the style or firm of Blackburn, Pickles, & Co., at Ibbott Royd Mill, Wadsworth, Halifax, Yorkshire), March 5 and April 9 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Robson, Halifax; Carris & Cudworth, Leeds.—Petition dated Feb. 11.

FREDERICK JOHNSON, Lincoln, watchmaker and silversmith, Feb. 27 and March 27 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Andrews, Lincoln.—Petition dated Feb. 13.

ABRAHAM DESFORGES WILLEY DESFORGES, Alford, Lincolnshire, brickmaker, dealer and chapman, March 6 and April 3 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Portington, Alford, Lincolnshire; Bunney & Wilson, Hull.—Petition dated Feb. 1.

RICHARD NOBLE and **GEORGE MAY**, Almondbury, Yorkshire, fancy cloth manufacturers and dyers, dealers and chapmen, (trading under the style or firm of Noble & May), March 5 and April 8 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Floyd, Huddersfield; Bond & Barwick, Leeds.—Petition dated Feb. 8.

THOMAS SKELTON HEIGHTHOLM, Scarborough, Yorkshire, painter and decorator, dealer and chapman, March 5 and 26 at 1, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Robinson & Greene, Leeds.—Petition dated Feb. 14.

MEETINGS.

Jas. Thomson, King-st., Camden-town, Middlesex, draper,

March 5 at 11, Court of Bankruptcy, London, surrender.—*John Pym*, Broad-st., London, merchant, Feb. 25 at 2, Court of Bankruptcy, London, last ex.—*Henry Allen*, Great Wild-st., Middlesex, carman, March 9 at 1, Court of Bankruptcy, London, last ex. and aud. ac.—*Thos. Cos* and *Thos. Whites*, Hanley, Staffordshire, drapers, Feb. 27 at 12, District Court of Bankruptcy, Birmingham, last ex.—*Henry Jas. Hinzman*, Bury, Lancashire, apothecary, Feb. 20 at 12, District Court of Bankruptcy, Manchester, last ex.—*James Inray*, Old Fish-st.-hill, Upper Thames-st., London, stationer, and *Minorics*, London, chart seller, March 1 at 1, Court of Bankruptcy, London, and ac.; March 7 at half-past 11, div.—*William Woods*, Mount-place, Walworth-road, Surrey, ironmonger, March 11 at 1, Court of Bankruptcy, London, and ac.—*J. Matthews* and *John Martin*, Chichester-place, King's-cross, Middlesex, drapers, March 5 at 11, Court of Bankruptcy, London, and ac.—*Fred. King*, Oxford, auctioneer, March 5 at 12, Court of Bankruptcy, London, and ac.—*Abraham Henry Chambers* the elder and *Abraham Henry Chambers* the younger, New Bond-st., and South Molton-st., Middlesex, bankers, March 1 at 2, Court of Bankruptcy, London, and ac.—*Wm. Miles*, Worcester, sharebroker, March 5 at 12, District Court of Bankruptcy, Birmingham, and ac.—*Alfred Easthope*, Wolverhampton, Staffordshire, upholsterer, Feb. 27 at 12, District Court of Bankruptcy, Birmingham, and ac.—*Jos. Knight*, Stanley, Leek, Staffordshire, joiner, Feb. 26 at 12, District Court of Bankruptcy, Birmingham, and ac.—*Michael Archer* and *Thos. Halsoll*, Liverpool, timber merchants, March 8 at 11, District Court of Bankruptcy, Liverpool, and ac.—*John Peter Richard* and *Andrew Hunter Aikis*, Liverpool, merchants, Feb. 28 at 11, District Court of Bankruptcy, Liverpool, and ac.; March 14 at 11, div.—*Wm. Meyrick Jones*, Mold, Flintshire, maltster, March 8 at 11, District Court of Bankruptcy, Liverpool, and ac.; March 15 at 11, div.—*Joseph Lawrence Butler*, Liverpool, coal merchant, Feb. 28 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Simon Lee Tyeoman*, Liverpool, merchant, March 1 at 11, District Court of Bankruptcy, Liverpool, and ac.; March 13 at 11, div.—*H. Roberts*, Fwlheli, Carnarvonshire, draper, Feb. 28 at 11, District Court of Bankruptcy, Liverpool, and ac.; March 14 at 11, div.—*William Hanna*, Liverpool, apothecary, March 1 at 11, District Court of Bankruptcy, Liverpool, and ac.; March 13 at 11, div.—*Thos. Wilson*, *Charles Kirkman Wilson*, and *Wm. Wilson*, Liverpool, linendrapers, March 1 at 11, District Court of Bankruptcy, Liverpool, and ac.; March 13 at 11, div.—*W. Jackson*, Birkenhead, Cheshire, auctioneer, Feb. 25 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Joseph Forrester*, Whitehaven, Cumberland, mercer, March 5 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.; March 7 at 11, fin. div.—*Cuthbert Smith Fenwick*, Tyne-mouth, Northumberland, banker, March 5 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.; March 7 at 1, div.—*Wm. Wilson*, Houghton-le-Spring, Durham, maltster, March 12 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.; March 14 at 11, fin. div.—*Thomas Charlton* and *Edward Thompson*, South Shields, Durham, wine dealers, March 5 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac. sep. est. of *Edward Thompson*.—*Edward Snowden*, South Shields, Durham, grocer, March 12 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—*George Davison*, Alnwick, Northumberland, carpenter, March 12 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.; March 13 at 12, div.—*Thomas Gales*, Ford, Durham, shipbuilder, March 14 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—*George William Corrie*, Plymouth, Devonshire, wine, spirit, ale, and porter merchant, March 14 at 11, District Court of Bankruptcy, Plymouth, and ac. and div.—*James Hodgson* and *Jos. Hodgson*, Underbank, near Hebden-bridge, Halifax, Yorkshire, cotton spinners, Feb. 25 at 11, District Court of Bankruptcy, Leeds, and ac.—*Daniel M. Hardy*, Crossland Moor Bottom, Almondbury, Yorkshire, innkeeper, March 1 at 11, District Court of Bankruptcy, Leeds, and ac.; March 8 at 11, div.—*W. L. Bickley*, Sheffield, Yorkshire, innkeeper, March 2 at 12, District Court of Bankruptcy, Sheffield, and ac.; March 9 at 12, div.—*Jas. Greenwood*, Haworth, Bradford, Yorkshire, worsted spinner, March 1 at 11, District Court of Bankruptcy, Leeds, and ac.; March 8 at 11, div.—*John Arncliffe*, Warren-house Inn, Linthwaite, Almondbury, Yorkshire, innkeeper, March 1

at 11, District Court of Bankruptcy, Leeds, and ac.; March 8 at 11, div.—*James Burt* and *James Burt* the younger, Manchester, and *William Tottie Watson*, Leeds, Yorkshire, commission agents, March 4 at 12, District Court of Bankruptcy, Manchester, and ac., and March 11 at 12, div., sep. est. of *William T. Watson*.—*Mark M. Givern* and *Joseph Johnson*, Manchester, smallware manufacturers, March 7 at 12, District Court of Bankruptcy, Manchester, and ac.; March 8 at 12, div.—*George Barton* and *John Barton*, Manchester, copper roller manufacturers, March 4 at 12, District Court of Bankruptcy, Manchester, and ac.; March 11 at 12, div.—*John Johnson*, Great Winchester-st., London, merchant, March 8 at 1, Court of Bankruptcy, London, div.—*Andrew M. Kenzie* and *James Haig*, Darby-st., Rosemary-lane, Middlesex, merchants, March 8 at half-past 11, Court of Bankruptcy, London, fin. div.—*Wm. H. Mills*, Mark-lane, London, spirit merchant, March 8 at 11, Court of Bankruptcy, London, fin. div.—*Charles Brooks*, Vine-yard, Lant-street, Surrey, carman, March 8 at half-past 12, Court of Bankruptcy, London, fin. div.—*Arthur C. Marsh*, Great Scotland-yard, navy agent, March 8 at 12, Court of Bankruptcy, London, fin. div.—*Henry Gibbs*, Oxford, grocer, March 11 at 2, Court of Bankruptcy, London, div.—*George Geering*, Arundel, Sussex, grocer, March 7 at half-past 12, Court of Bankruptcy, London, div.—*David King*, Eltham, Kent, surgeon, March 12 at 11, Court of Bankruptcy, London, div.—*Henry Moseley* and *James B. Murphy*, Derby, carvers, March 22 at 11, District Court of Bankruptcy, Nottingham, and ac. and fin. div.—*Henry Clark*, Leicester, cabinet maker, March 1 at 10, District Court of Bankruptcy, Nottingham, and ac.; March 22 at 10, div.—*Rich. Smith*, Hathern, Leicestershire, and Formark-park, Derbyshire, tanner, March 1 at 10, District Court of Bankruptcy, Nottingham, and ac.; March 22 at 10, div.—*Wm. Perkins*, Devonport, Devonshire, cabinet maker, March 14 at 11, District Court of Bankruptcy, Plymouth, div.—*G. S. Baron*, Plymouth, Devonshire, money scrivener, March 14 at 11, District Court of Bankruptcy, Plymouth, div.—*Henry S. Bolt*, Plymouth, Devonshire, wine merchant, March 14 at 11, District Court of Bankruptcy, Plymouth, div.—*Jos. Crook*, Plymouth, Devonshire, merchant, March 14 at 11, District Court of Bankruptcy, Plymouth, div.—*A. Rowe*, Plymouth, Devonshire, grocer, March 14 at 11, District Court of Bankruptcy, Plymouth, div.—*R. Elliott*, Plymouth, Devonshire, builder, March 14 at 11, District Court of Bankruptcy, Plymouth, div.—*Rich. Milner*, Darlington, Durham, timber merchant, March 14 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Thomas Reed*, North Shields, Northumberland, banker, March 7 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Woods, Mount-place, Walworth-road, Surrey, ironmonger, March 11 at 1, Court of Bankruptcy, London.—*Richard Good*, Bishopsgate-street Without, London, stationer, March 14 at 1, Court of Bankruptcy, London.—*Rich. Beard*, Millman-mews, New Millman-st., Guildford-st., and Parliament-st., Westminster, Middlesex, picture-frame manufacturer, March 9 at half-past 12, Court of Bankruptcy, London.—*W. J. Sege*, Great Portland-st., Middlesex, chemist, March 9 at 11, Court of Bankruptcy, London.—*Wm. Jerdan*, Milton next Gravesend, Kent, publisher, March 15 at 11, Court of Bankruptcy, London.—*George Davison*, Alnwick, Northumberland, carpenter, March 13 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Cornelius Robertson*, Masbro', Rotherham, Yorkshire, steel manufacturer, March 9 at 12, District Court of Bankruptcy, Sheffield.—*Thomas Ashworth*, Liverpool, merchant, March 8 at 11, District Court of Bankruptcy, Liverpool.—*Zaccheus Stafford*, Nottingham, innkeeper, March 22 at 11, District Court of Bankruptcy, Nottingham.—*John Cwellschaw* and *James Cwellschaw*, Derby, railway-carriage builders, March 22 at 10, District Court of Bankruptcy, Nottingham.—*Wm. Lakin Bowyer*, Macclesfield, Cheshire, grocer, March 11 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Henry Colenutt, Portsea, Hampshire, baker.—*J. Robinson*, Maldon-road, Haverstock-hill, Middlesex, builder.—*Edward Rosciter* the younger, Torquay, Devonshire, builder.—*Charles*

Yorke, Cambridge, upholsterer.—George Russell, Goswell-road, Middlesex, cabinet maker.—Richard J. Hicks, West Derby, near Liverpool, dealer in cattle.—David B. Sorley, Liverpool, broker.

SCOTCH SEQUESTERATIONS.

Andrew Henderson, Hamilton, Lanarkshire, draper.—Jos. Sorley, Glasgow, stockbroker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Cantrell, Nottingham, out of business, March 7 at 9, County Court of Nottinghamshire, at Nottingham.—Thos. Bailey, Henninghall, Norfolk, innkeeper, March 1 at 9, County Court of Norfolk, at Attleborough.—Wm. Revell, Attleborough, Norfolk, innkeeper, March 1 at 9, County Court of Norfolk, at Attleborough.—Wm. Jones, Brinklow, Warwickshire, tailor, Feb. 27 at 10, County Court of Warwickshire, at Rugby.—B. Burton, Huddersfield, Yorkshire, straw bonnet maker, March 15 at 10, County Court of Yorkshire, at Huddersfield.—Wm. Woollett, Hucknall Torkard, Nottinghamshire, lacemaker, March 7 at 9, County Court of Nottinghamshire, at Nottingham.—Henry Barber, Wilderspool, Appleton, Cheshire, brewer, March 14 at 10, County Court of Lancashire, at Warrington.—Edward Cox, Wheatley, Oxfordshire, dealer in oatmeal, Feb. 26 at 2, County Court of Oxfordshire, at Oxford.—Thomas Butler, Alcester, Warwickshire, grocer, Feb. 22 at 9, County Court of Warwickshire, at Alcester.—H. T. Bowley, Hulme, Manchester, commission agent, Feb. 22 at 11, County Court of Lancashire, at Manchester.—Margaret Cooke, widow, Manchester, Lancashire, dealer in tripe, Feb. 22 at 11, County Court of Lancashire, at Manchester.—James Pollitt, Urmston, Flixton, Lancashire, out of business, Feb. 22 at 11, County Court of Lancashire, at Manchester.—John E. Perkins, Luton, Bedfordshire, warehouseman to a straw plait manufacturer, Feb. 22 at 10, County Court of Bedfordshire, at Luton.—H. Williams, St. Alban's, Hertfordshire, commission agent, Feb. 27 at half-past 10, County Court of Hertfordshire, at St. Alban's.—J. Hatcher, Wells, Somersetshire, beer-house keeper, March 19 at 11, County Court of Somersetshire, at Wells.—Jeremiah Harris, Blacker's-end, Hartpury, Gloucestershire, farmer, March 7 at 10, County Court of Gloucestershire, at Newent.—William Balaam, Honington, Suffolk, shoemaker, Feb. 26 at 2, County Court of Norfolk, at Thetford.—George Gillott, Sheffield, Yorkshire, cabinet maker, March 6 at 10, County Court of Yorkshire, at Sheffield.—Edward C. Close, York, out of business, March 5 at 10, County Court of Yorkshire, at York.—James Pendrell Jeffs, Gloucester, carver, March 11 at 10, County Court of Gloucestershire, at Gloucester.—Bartholomew Peston, York, organ builder, March 5 at 10, County Court of Yorkshire, at York.—George Good, Southampton, grocer, March 1 at 10, County Court of Hampshire, at Southampton.—Joseph Rhodes, Hipperholme, Halifax, Yorkshire, wire worker, March 1 at 10, County Court of Yorkshire, at Halifax.—John Dixon, Sheffield, Yorkshire, brewer's traveller, March 6 at 10, County Court of Yorkshire, at Sheffield.—John William Knight, Milbrook, Hampshire, butcher, March 1 at 10, County Court of Hampshire, at Southampton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 2 at 11, before Mr. Commissioner PHILLIPS.

Edw. G. Barton, Drury-lane, Middlesex, furnishing ironmonger.—Henry S. Bradley, Jamaica-terrace, Middlesex, surveyor.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 1 at 11, before Mr. Commissioner HARRIS.

A. G. J. Bishop, Duke-street, Manchester-square, Middlesex, clerk in holy orders.—Philip Walling, High-street, Camden-town, Middlesex, fishmonger.—Wm. Tucker, Ann's-

place, Walworth-common, Surrey, tanner.—Benjamin Land, Greenwich, Kent, out of business.

March 2 at 11, before Mr. Commissioner PHILLIPS.

Joseph Cormick, Duke-street, West Smithfield, London, engraver.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, March 1 at 11.

Wm. H. Haslam, Hulme, Manchester, assistant to a green-grocer.—Fred. Shaw, Hulme, Manchester, salesman.—Sam. Hughes, Salford, accountant's clerk.—Edw. Finney, Liverpool, marine store dealer.—W. Hodgkinson, Ardwick, Manchester, out of business.—Thomas Hall, Great Marton, near Blackpool, fish dealer.—Milton Smith, Reddish, near Manchester, out of business.—Isaiah Crowther, Oldham, out of business.—T. Cheetham, Astley, near Manchester, grocer.—S. Thompson, Blackburn, cordwainer.—Patrick Byrne, Liverpool, provision dealer.—Edward Lloyd, Everton, near Liverpool, dispenser at the workhouse.—James Williams, Liverpool, paper ruler.—S. Horrocks, Stone Clough, Kersey, near Bolton-le-Moors, manager to a tar distiller.

At the County Court of Nottinghamshire, at NOTTINGHAM, March 7.

John Farrer, Sheffield, Yorkshire, fork grinder.

At the County Court of Gloucestershire, at BRISTOL, March 6 at 11.

Charles Garton, Bristol, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

James Walker, Gomersal, near Leeds, Yorkshire, woollen spinner: 1s. 7d. in the pound.—N. A. Dubois, Brighton, Sussex, confectioner: 1s. 6½d. in the pound.—Thomas Silbourn, Hampton-terrace, Camden-town, Middlesex, coal merchant: 9½d. in the pound.—Thomas M'Poy, Trinity-square, Newington, Surrey, merchant: 8½d. in the pound.—Rachel Graves, widow, Russell-place, Old Kent-road, Surrey: 4s. 9d. in the pound.—Francis Mark Turner, deceased, Girtton, Nottinghamshire, half-pay officer in the Army: 2s. 9½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

John Yardley, Old Chapel-row, Kentish-town, Middlesex, out of employ, Feb. 15, at Nichols's, 9, Cook's-court, Lincoln's-inn: 3s. 11d. in the pound.

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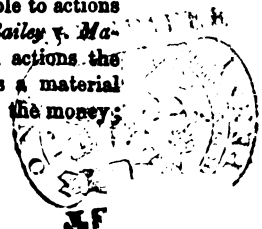
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THE latest decisions upon the liability of provisional committeemen are of peculiar interest to lawyers, as tending to determine the new and somewhat equivocal position in which a large and important class of society have placed themselves, or have been placed by the decisions of our legal tribunals. We have therefore selected, as the subject of some observations, the cases of *Burnside v. Dayrell* (3 Exch. 224) and *Moore v. Garwood*, (19 L. J., Ex., 15), recently decided in that favourite arena for allottees and committeemen—the Court of Exchequer, and affirmed (as to *Moore v. Garwood*) in the Court of Exchequer Chamber. *Burnside v. Dayrell* was an action for the recovery of a deposit paid by an allottee of shares in a projected railway company. The deposit had been paid by the plaintiff into a bank named in the prospectus, in which the defendant's name appeared as one of the provisional committee, and as chairman of the committee of management. The defendant had been present at only one meeting, at which he presided as chairman, and he then dissented from the proceedings. This meeting was held after the plaintiff had applied for shares, but before they had been allotted to him. It was held that the defendant was not liable to refund the deposit, because he was not the person, nor one of the persons, by whom it had been received; that the payment into the bank was not a payment to his use, nor was there any proof that he ever received, or could have received, any part of the money; that there was no difference, as far as he was concerned, between money received by other members of the provisional committee and goods furnished by order of such other members; that in the one case the parties must look to those to whom the payment was made, and in

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the other to those by whom the goods were ordered; or if credit was given, it must be shewn to have been given by the sanction of those whom it is sought to charge. The Court distinguished this case from that of *Walstab v. Spottiswoods*, upon the grounds, that in the latter case the secretary was the agent designated by the defendant as the person to whom application for shares should be made, and the money paid to him was, therefore, paid to the defendant himself; that the case there proceeded on that assumption, the argument not turning on the point, whether the defendant was one of the parties to whose hands the deposit had come, but, admitting that to be the fact, whether it could be recovered; and that the defendant was an active person in the management of the concern. There does not, however, appear any substantial distinction between the two cases, and we doubt whether a state of facts similar to those in *Walstab v. Spottiswoods* will lead to a similar decision, if this objection as to the receipt of the money be taken. It would seem that an action for the recovery of the deposit, under such circumstances, should be brought against the parties in whose names the account was opened with the bank where the money was kept, or who have received or expended the money, or have concurred in or sanctioned the contract made with the plaintiff. The decision in *Burnside v. Dayrell* places, it will be observed, provisional committeemen on the same footing, both as regards money received and goods received; the principles upon which *Regnell v. Lewis* and *Hopkins v. Wyld* (15 M. & W. 517) proceeded will, therefore, be applicable to actions for the recovery of deposits. (See also *Bailey v. Macaulay*, 14 Jur., part 1, p. 80). In such actions the plaintiff should be prepared to prove, as a material part of his case, to whose credit he paid the money;



and, if it appear to have been to the credit of the company generally, any active committeeman will, it seems, be liable, according to the decision of the Court of Exchequer Chamber in *Moore v. Garwood*. That also was an action by an allottee against a member of the managing committee for the recovery of a deposit paid (according to the directions contained in the prospectus) into a bank to the credit of the company. The Court, affirming the judgment below, held the defendant to be liable.

It was contended that there was no evidence to shew that the defendant had drawn, or had power to draw, the money out; and that even if the managing committee had power to make cheques, the money was not received by them until actually drawn out. Maule, J., thereupon asked, "Suppose the money was paid in to the credit of the defendant and others, is not the non-joinder of the rest merely matter of a plea in abatement? No company was ever formed. If the money were paid in to the credit of all, and all had been sued, there would have been no difficulty." The Court, in delivering judgment upon this part of the case, said, "The case of *Watson v. The Earl of Charlemont* (13 Jur., part 1, p. 117) is very distinguishable. There the money was paid into the bank to the credit of one of the defendants and of five other persons by name, as trustees for the railway company, and the other two defendants were not of the number of those five. Here the letter of allotment, which is admitted to have been issued by the defendant, states, in effect, that the money is to be paid in to the bankers to the credit of the railway company."

It should also be stated, that in *Moore v. Garwood* the defendant was an active member, having attended almost every meeting; and there was some evidence to shew that he had acted as if he had a control over the deposits.

This case was not noticed in *Burnside v. Dayrell*; it would, we think, have been more satisfactory to have had them both considered together and reconciled or distinguished.

The material facts in *Watson v. The Earl of Charlemont* have been already stated; but the following observations of the Court, in delivering judgment, shew more fully the grounds of that decision:—"There is no evidence of the money having ever come to the hands, or to have been at the disposal, of the three defendants. Indeed, Lord Charlemont may have been precisely in the same situation as the plaintiff himself, except that his lordship was on the provisional committee. In *Wentner v. Shairp* (4 C. B. 406) the defendant was one of the managing committee, which issued the false statement, and had the control and disposition of the deposits."

In connexion with this subject, we must not omit to remind our readers of the important batch of cases lately reported in *THE JURIST*, under the title of *Bailey v. Macaulay*, (14 Jur., part 1, p. 80), and which we propose to consider in a future article.

The Queen has been pleased to appoint Aston Davoren, Esq., to be Puisne Justice of the Island of St. Christopher; and George John Crawford, Esq., to be Second Judge of the Supreme Court of the colony of South Australia.

Abstracts.

On Probate Courts. By THOMAS FALCONER, Esq., of Lincoln's-inn, Barrister at Law. [London: Reynell & Weight, Little Pulleney-street. 1856.]

This is an extremely well-written pamphlet on a subject, the importance of which it would not be easy to overrate. Of the evils which he seeks to remove, Mr. Falconer gives an able as well as very happy summary in the opening paragraph. The concluding sentence is remarkable for the felicity of expression with which it describes the effect of the present working of the law:—

"It is no exaggeration to represent the existing law relating to the probate of wills, and the administration of the estates of deceased persons, to be the cause of great annoyance, distress, and expense. So many persons are interested in the continuance of the system, that it is almost hopeless to expect that any change will be made in it for many years to come, which shall completely remove the very just and rational grounds of complaint which it causes. The evils the law occasions are easily removable, if there were any sincerity and earnestness of purpose among those whose duty it is to remove them; but there is no such earnestness, and there is no intention at the present time to effect any other change than such as will, in fact, perpetuate the chief causes of complaint. Yet, from the evils which exist, no purity of intention, no candid or fair dealing, no upright or open behaviour can protect any person. They come almost inevitably on the most innocent, and no care or forethought can ward them off. When a man dies his property is distributable under the terms of his will, or, if he dies intestate, it is distributable under certain rules of law; it either belongs to the persons indicated by the testator, or to those whom the law marks out. Though it belongs to such persons, it is usually held as a stake to be wrestled for. The law invites members of families to contend for it; it calls in strangers to partake in the dispute; it offers dishonest attorneys certain reward if they will interfere, and more especially if they will give dishonest advice; it summons creditors to join in the contest, and scourges them for being present; and, among relatives, to the affliction of mourning it adds dismay and ruin, or grievous and unjust privation." (Pp. 3, 4).

The changes in the present system that Mr. Falconer thinks are needed are—

"1. That in each county there shall be a court of probate—a civil and no longer an ecclesiastical court—presided over by an educated lawyer.

"2. That every county court of probate may issue probates of wills and letters of administration, without any reference to the value of the personal estate of the deceased—such probates and letters of administration to be issued in the county where the deceased person was domiciled, and to be valid and operative throughout England and Wales.

"These two changes would abolish so much of the present law relating to probates and letters of administration as depends on mere jurisdiction, and some *notabilia*. They would affect, though in a different manner, the purposes of the bill of the House of Lords.

"More, however, than this is needed. Under the authority conferred by a court of probate in issuing an authority to administer an estate, there are duties to be performed, and it is all-important that the court of probate should superintend and enforce their fulfilment. To effect this, other steps must be taken.

"3. Executors and administrators should be required, within a certain time, to collect the estate, to discharge debts, to pay legacies, to distribute the residue, and to file an account or report with the court.

"4. As executors and administrators cannot be pressed to conclude the execution of their duties without an expensive process, as they are also frequently unable to obtain the necessary assistance, and as those who advise them are always interested in delay, an official administrator should be attached to each court, who should act in such cases as the court of probate should regard necessary, and always on the application of executors and administrators, of creditors, and of those interested in the bulk of the property. The duties of the official administrators would not materially differ from those of the official assignee in the Court of Bankruptcy.

"5. Whatever may be the state of the claims on the estate at the death of the deceased, so they should remain, as they affect the estate to be administered, to the moment of their settlement.

"6. The entire funds and property of the deceased should be under the control of the court of probate. No proceedings at law or in Chancery should be permitted without an order of this court. On the application of creditors, of legatees, or next of kin, money and property should be secured, if there is any hazard of loss; the investment of trust monies directed, the court of probate having power to construe the terms of a will; and the investment of money ordered even in cases where the executors or administrators may be called on to replace it, if the deceased has committed a breach of trust.

"The courts of probate would thus become county courts of equity, and inquiries would be conducted as inquiries are now conducted in the Court of Bankruptcy. When necessary, a case should be stated for the formal decision of the court, and it should have power to order a trial of issues.

"An appeal from the courts of probate should in all cases be allowed to the Court of Chancery." (Pp. 22, 23).

If it is meant, in the sixth article in the passage above quoted, that the court of probate should have power to *construe* the terms of a will, whatever may be the amount of property affected by the will, this clause, besides being open to other objections, would have the effect of ousting the superior Courts of law and equity of their jurisdiction. In order to render it practicable it will be necessary to confine the power to questions involving property of a certain limited amount. This would bring the system proposed as to probate courts into harmony with that of the county courts. The same objection appears, in part at least, to apply to the proposal, that "no proceedings at law or in Chancery should be permitted without an order of this court." Would not the effect of these two regulations, taken together, be to take the determination of some of the most difficult questions that arise in the legal Profession out of the courts where the most eminent and able lawyers preside as judges, and give it to courts in which the judges who are to preside, whatever may be their natural abilities and their integrity, cannot be expected to be selected from those members of their Profession whose natural abilities have been improved to the utmost, in the way of professional skill and knowledge, by that enlarged experience which can be attained by long and extensive practice, and by nothing else? But, independently of the merits of the question, we doubt whether a measure could be carried at present which should propose to give unlimited jurisdiction in regard to the construction of wills. Of the nature and extent of the difficulties of this question, and of the danger of intrusting the construction of wills to any but men of great judgment, as well as learning and knowledge, an idea may be formed from the following excellent observations in the "Prefatory Remarks" to Messrs. Hayes & Jarman's Concise Forms of Wills:—

"A notion has unfortunately obtained, that, while to

'the preparation of a deed learning and experience are essential, the disposition of a man's property by will may be safely confided to the minimum of legal knowledge. Hence the conveyancer is rarely consulted, the solicitor is often dispensed with, and the schoolmaster too frequently called in; or, if the schoolmaster be not at hand, there is commonly to be found in every village a will-maker of equal courage and ability, the collector or inheritor of exploded forms and phrases. This notion proceeds upon the twofold error, that wills are expounded, not according to the rules of law, but according to the dictates of common sense, and that common sense is the same in all men. The rules of law, when applied (as applied they must be) to wills thus unadvisedly prepared, often defeat the intention—that is, the *probable* intention; but if those rules were discarded for a season, common sense, outraged by the conflict of opinion, making one poor word, perhaps, the sport of many contrariant decisions, would soon demand their restoration. The general impression, however, that wills are not amenable to the strict rules of legal construction extended its influence to the judicature, and induced a certain laxity of interpretation, which confirmed and encouraged the original error. Thus confident ignorance on the one hand, and judicial indulgence on the other, produced and reproduced blunders and obscurities of every shape and shade, which have swelled the mass of adjudication, without advancing the law as a science. But we may observe, in some of the later judgments, a tendency to establish a wholesome strictness of construction, to discountenance arguments drawn from vague and speculative views of the intention, and to recur to Lord Coke's 'good rule, always to judge in such cases (i. e. cases of informal wills) as near as may be, and according to the rules of law.' By steadily acting upon this sage advice, by shewing that the principles of interpretation applicable to deeds and wills, which (with two or three well-established exceptions) are the same in their institution, are likewise the same in their application, the Profession and the Public would soon be taught that the last important office of providing for the disposal of men's possessions, when death has precluded the possibility of explanation or correction, requires at least the same degree of information and intelligence which is confessedly necessary to the conveyance of a rood of land from a seller to a purchaser. Such an inflexible course of decision would tend to abate, even in professional men, somewhat of that confidence which now prompts them to draw wills without any previous study, relying upon *intention* as the law of the instrument, and the liberal rectifier of all blunders.

"There cannot, indeed, be a greater mistake than that of supposing that a very small stock of legal terms, added to a very ordinary education, suffices to accomplish the will-maker. On the contrary, a will is alone capable of exhausting the science and ingenuity of the most able conveyancer. It may embrace every allowable modification of property, every possible scheme of disposition."

As wills are too often drawn, they become most fertile sources of doubt and uncertainty—of most doubt, perhaps, in the minds most anxious to arrive at a satisfactory solution of their doubts. Mr. Maddock, in the Preface to his Chancery Practice, mentions one case which, though extreme, may shew the evil in its worst form. He says, "One I remember before a great judge, and he begins his decision by saying, '*Having had doubts upon this will for twenty years,*' &c." (Preface, p. ix).

Even assuming that the doubts of this "great judge" found a correct solution at the end of twenty years, it may well be questioned whether such slow justice as this is not at least as bad as quick injustice. Moreover,

reasons have been urged in favour of a jurisdiction unlimited as to the amount of the property at stake, which are entitled to the most careful consideration. Why, it has been asked, should the unnecessary expense of an application to the superior Court be incurred, merely because the testator left money enough to pay for it? If anybody objects to the decision of the county court on any point, let him appeal on that point, and on that point only. If there be a real doubt of the goodness of the decision, it is well that there should be an appeal. The applications to the superior Courts from improper motives would also be greatly reduced. Instead of the present most expensive machinery, by which so much of the estate of the testator passes away from his representatives in the course of an administration suit, what would be the case on the plan proposed? An appeal on dry matter of law, whether such a decision on such a point was or was not right. No receiverships, no long bills, no proceedings in the Master's office, by which half, or more than half, of the estate is absolutely wasted, under, to borrow the words of the Vice-Chancellor on an occasion referred to by Mr. Falconer, "the usual decree for destroying the estate in due course of law."

It is also asked, what is to prevent the judges of the county courts from applying the decisions of the superior Courts so as generally to be satisfactory to the Profession, at least when they shall have been some time in practice? As far as the question has reference to the more difficult points arising on the construction of wills, we certainly do not see what is to prevent them, *provided* they can be selected from that class of lawyers to whom most of such questions are at present submitted in chambers, and whose opinion is, in a large proportion of such cases, accepted by the parties as sufficiently satisfactory to deter them from the expensive course of taking the opinion of the Court thereon. But our proviso will, we fear, be found one, the conditions of which will be attended with some difficulty.

In regard to the number of new judges that may be necessary, the writer says—

"In the appointment of the judges of probate courts, it may not be necessary to appoint a single judge for each county. The facility which certain lines of railway may afford to move from one county town to another would enable the union of the judgeships of two probate courts to be made in several instances, without any great personal inconvenience. It will be proper, however, that there should be as little moving of the judge from one place to another as possible. His residence should be permanently near his court, and he ought rarely to be required to leave his usual abode. The arrangements of county courts necessarily impose on the judges of such courts almost continued travelling from one place to another. But what is a great personal inconvenience in the one case is not an unavoidable one in the other, except in the rare case when the judgeships of two courts should be combined." (P. 31).

As to the inconvenience of the dispersion of wills in different depositories throughout the kingdom—

"The dispersion of wills in different depositories in the kingdom has, in practice, been found to be a very great and serious evil. It precludes the possibility, in many instances, of ascertaining the existence of wills, and it greatly increases the cost and trouble of searches. The proposal which has been most generally made has been, that all wills should be deposited in London. The objection to this is, that, in case of accident, all the wills in the kingdom would be destroyed. There would be no reasonable argument against allowing original wills to be preserved in the registry of each county probate court; and as a fee of 6d. per folio would amply cover the expense of duplicate copies, one might be kept for inspection in

'the registry of the probate court, and the other might be forwarded to the general registry in London. The additional payment of 2d. per will would form a sufficient fund to discharge the expenses of printing a calendar of the wills in the general registry.' (P. 31).

Mr. Falconer has given, in his pamphlet, an abstract of the probate laws of Massachusetts. Of the system of probate courts throughout the United States he thus speaks:—

"When the writer was in the United States he was much struck by the system of probate courts which exists throughout that country, and the feeling of approbation and satisfaction which prevailed respecting its advantage and usefulness. The courts are not constituted in the same manner in every state, though a probate court is established in nearly every county in each state. In Ohio the county court, held by justices of the peace in each county, has jurisdiction over the estates of deceased persons; in Louisiana there are district courts of probate, which sit in all months except July, August, September, and October, when special courts are held; in Mississippi there is a probate court in each county; in Georgia there are probate courts in each county; in Maryland the court for hearing testamentary matters is called the Orphans' Court, and is held in each county; and in Virginia the county court issues probates of wills, and the general court has also original jurisdiction in the same matters. It is in the State of Massachusetts that the best provisions for the guidance of such courts prevail; and it was on this account that the writer requested the Honourable George Bancroft, the late Minister of the United States at the Court of St. James, to obtain for him an abstract of the law relating to them. With this request Mr. Bancroft, whose readiness to afford information and render assistance in any inquiry respecting his own country the writer had frequently experienced in America, most readily complied. In the month of February, 1847, he sent to him the manuscript of the following excellent abstract, drawn up by Mr. Francis Edward Parker, a barrister of much zeal and ability, resident in Boston." (P. 32).

In reference to his reasons for citing at some length the law and practice of probate courts in Massachusetts, Mr. Falconer has the following very just observations:—

"The above particulars of the law of Massachusetts are not cited on account of any belief that the law is so well interpreted in the United States as in this country, since we acknowledge the value of extreme accuracy and uniformity of decision. It is far, however, from being anywhere badly administered. Popular criticism sometimes condemns it: the arguments of advocates and the decisions of judges are frequently more remarkable for their length, and the wideness of their research, than for brevity, logical arrangement, or precision; but it very universally accomplishes the great end of legal administration—satisfaction and contentment with the law among the great majority of the population. Derived, however, as the legal system in America is from our own, it is not without instruction to notice such departures from it as are found to facilitate the administration of the law; and as an illustration of a successful, instructive, and beneficial legal institution, the Probate Courts of Massachusetts are cited. There are some things provided for, such as the appointment of guardians, and the registration of the wills of persons living, which were once included among the powers of our ecclesiastical courts. The duties of the public administrator are not so comprehensive as they, perhaps, ought to be; and this may be occasioned by the absence of those securities which in this country would permit them to be more comprehensive, and the performance of them more certain." (P. 50).

The following case is the last of many such cases which have come before the board of guardians, in a district where there are many small freeholders, who hold their lands under similarly imperfect proceedings, and which shew the urgent need of the intervention of a Court of equity in cases where the property is small in value:—J. F. was in possession of a piece of land which he said was his own, and also, in right of his wife, B. F., of a house and land, which she inherited from her father. J. F. mortgaged the whole to S. B., who has the deeds, for 100*l.*, the wife not joining in the mortgage deed. J. F. dies. A son, G. F., persuades the mother to sell, and becomes the purchaser for 200*l.*, and is let into possession, depositing with the vendor's attorney (really the mortgagee's attorney) 50*l.* It is discovered that J. F. had no conveyance of the land to himself in his own name, and that he came in on the agreement of one C., deceased, to whom alone any deed of conveyance exists previous to the mortgage deed to S. B. The son refuses to support his mother; he refuses to proceed until they make out a conveyance; and the mother goes to the workhouse, though her property in the hands of her son is sufficient for her maintenance.

The Laws relating to the Land-tax: its Assessment, Collection, Redemption, and Sale; with a Statement of the Rights and Remedies of Persons unequally assessed; and an Appendix, containing all the Statutes in Force; with a copious Index. By SAMUEL MILLER, Esq., Barrister at Law. [London, S. Sweet, 1849.]

This promises to be a useful book on an important subject—a subject, indeed, of much greater importance in a legislative and constitutional than in a strictly legal point of view. Our business here, however, is only with the latter, which will be best understood from the following extract from Mr. Miller's Preface:—

"Nearly fifteen years have now elapsed since the writer first endeavoured to direct public attention to the anomalous condition of the laws relating to the collection and assessment of the land-tax; and had his suggestions been adopted, for an equalisation of this tax, an increase to the revenue of at least fifty millions sterling would ere this have been secured, without the slightest inconvenient pressure.

"The writer's pamphlet containing his suggestions having gone through three editions, it is fair to conclude that it has obtained some attention; and he feels justified, therefore, in continuing his exertions to accomplish an object which he has so long considered to be of the first importance to the community.

"The amount of land-tax unredeemed and annually collected is about 1,200,000*l.*; and this is so unequally assessed, that while in some parts of the country the parties assessed are paying more than 3*s.* in the pound, in other places the rate collected is only a few pence, and in others less than a farthing in the pound. Thus, in the borough of Marylebone, and in the borough of Liverpool, the tax is less than a farthing in the pound, while in the parish of St. Andrew, Holborn, it is 1*s.* 10*d.*, in some parts of the city of Westminster more than 2*s.*, and in several places in the city of London more than 3*s.* in the pound.

"The cause of this inequality is readily explained. In the year 1798, Mr. Pitt, the then Prime Minister, being desirous, for the purposes of public credit, of withdrawing a large amount of stock from the public funds, adopted the expedient of enabling parties to redeem and purchase land-tax, by which it was expected that about eighty millions of stock would be absorbed. To accomplish this object, it was necessary, in the first place, so to adjust the assessment of the tax that the greatest facilities should be afforded to parties desirous of redeeming, and accordingly, in the year 1798, the

act of the 38 Geo. 3, c. 5, was passed, by which the sum of 1,989,873*l.* was directed to be raised for land-tax in England and Wales, in the proportions fixed upon the several counties and other places specified in the act; and, in order to collect the specified sums, the commissioners were directed to appoint assessors for the parishes and places in the several divisions within each county, who were to settle the quota to be contributed by such parishes and places.

"The act directs that the tax should be raised with as much equality and indifference as possible; but as a foundation for this impartiality, and as if in mockery of the provision, the commissioners and assessors were directed to be governed in their assessments by those made under the act passed for the collection of land-tax in the reign of William & Mary, (1692). So readily did the parties appointed to carry the act into execution avail themselves of the latitude thus given, and so regardless were they of equality and indifference in their assessments, that, with comparatively few exceptions, the quota fixed upon the several parishes and places under the act of 1798 was precisely the same as that levied in the reign of William & Mary. A striking example of this mode of assessment is furnished by the borough of Liverpool, the land-tax for which, in the reign of William & Mary, including the rate levied in respect of offices and pensions, and personal estate, was 802*l.* 8*s.* 10*d.*, of which 633*l.* 15*s.* was raised for the duties on offices, &c.; and, the latter duties having been repealed, the amount now assessed upon this borough, including the amount redeemed, is 168*l.* 13*s.* 10*d.* Manchester, Preston, Bath, Bristol, Leeds, and other large towns present similar anomalies.

"The ground having been thus prepared by a pretended revision and general settlement of the assessments, the next step was to prepare for the redemption; and for this purpose the act of the 38 Geo. 3, c. 60, was passed, by which the land-tax, as then collected, was declared perpetual, subject to redemption. In proposing the resolutions upon which this act was founded, Mr. Pitt expressly declared that they left the question of a more equal repartition of the land-tax precisely where they found it, and in support of this position made use of the following observations:—"Parliament now has the undoubted right of raising more than 4*s.* in the pound on land; and what greater authority would it acquire were the present redeemed? If the whole were to be redeemed, the only thing necessary to be provided, as expressly as any legislative provision can guard, is, that, if ever a new land-tax is imposed, it shall not be imposed upon those who have redeemed in any different proportion from that on those who have not redeemed. It would be necessary to provide, that the amount of what may have been redeemed shall be deducted from any new impost."

The concluding words of Mr. Pitt, which we have printed in italics, are important, and contain an answer to the objection which we have sometimes heard stated, that the redemption of the land-tax precludes all future and further interference with that property which has been subjected to its operation. Mr. Miller goes on to explain the cause of the inequality:—

"When it is borne in mind that the sums assessed for land-tax are for the most part the same as those which were assessed two centuries ago, it requires little further explanation to account for the great inequalities of the assessments for this tax throughout the country. The cities of London and Westminster are nearly in the same condition, with regard to the number of buildings within them, as when the tax was assessed under the statute of William & Mary; but Russell and Tavistock Squares, and the extensive and now populous district of Marylebone, were, even in the year 1798, fields and swamps, while Brighton and

Hastings were mere fishing towns; and even Liverpool and Manchester were only beginning to rise into importance. Yet the amount of land-tax assessed under the act of 1798 upon the city of Westminster was and still is 63,092*l.*, and upon the city of London 123,399*l.*; while that upon the whole county of Sussex (excepting a few of the Cinque Port towns, but including Brighton, Lewes, and Chichester) was and still is only 57,560*l.*; and the amount assessed upon the county of Lancaster, comprehending Liverpool, Manchester, and Preston, was and still is only 20,939*l.* 14*s.* 6*d.* So, again, the amount of this tax assessed under the same act upon the parish of St. Andrew, Holborn, and St. George-the-Martyr, which is assessed to the property-tax at the annual amount of 183,191*l.*, was and still is 9018*l.*; while that upon the parish of St. Pancras, which is assessed to the property-tax at the annual sum of 1,251,737*l.*, was and still is 1,776*l.* 15*s.* 7*d.*; and that upon the parish of St. Marylebone, which is assessed to the property-tax at the annual sum of 1,132,324*l.*, was and still is 492*l.*"

The following is a statement of some of the most striking inequalities in the operation of the land-tax, made by the present chairman of the Board of Inland Revenue, in his evidence before the Committee on Agricultural Distress in 1836, and quoted by Mr. Miller, (Preface, p. xi):—

"Mr. Garnet (the Registrar of Land-tax) has drawn out a statement, which, with the leave of the committee, I will read to them, shewing some of the most striking inequalities. The amount of the rate per pound on the rental for London proper is about 3*s.* 2½*d.* Then follows a statement of several parishes adjoining London, forming, in fact, a part of what is usually called London:—St. Clement's and St. Mary-le-Strand, 1*s.* 7½*d.*; the Duchy Liberty, 1*s.* 5½*d.*; St. Martin, 1*s.* 1*d.*; St. Margaret and St. John, 8½*d.*; St. Anne, 1*s.* 10*d.*; St. George, Hanover-square, 5½*d.*; St. James, 9½*d.*; St. Paul, Covent-garden, 3*s.*; St. Andrew, Holborn, and St. George, 1*s.* 3½*d.*; St. Pancras, 0½*d.*; Marylebone, under 0½*d.*,—I believe the whole amount levied on Marylebone is under 600*l.*, which has never been altered; Paddington, 1½*d.*; Kensington, 4*d.*; Chelsea, 2½*d.* Then we have, taken almost at random, some of the principal towns in England. We have taken Brighton, Liverpool, Worthing, and other places which have risen very much in population, and have taken some of the old decayed towns. Brighton, under 0½*d.*; Broadwater, including Worthing, 3½*d.*; Lewes, 2*s.* 3*d.*; Chichester, 9½*d.*; Rye, 3*s.* 11½*d.*; Hastings, 2½*d.*; Bath, including Walcot and Bathwick, 0½*d.*; Clifton, 0½*d.*; Cheltenham, 1½*d.*; Stockport, 1½*d.*; Macclesfield, 3½*d.*; Leeds and its suburbs, 3½*d.*; Sheffield, 1½*d.*; Liverpool, under 0½*d.* The circumstances of Liverpool, I believe, are these:—The quota unredeemed is 99*l.* and some odd shillings; the rental is the basis of the rating; the sum to be levied in the pound is something less than one-third of a farthing annually; and the consequence is, that a rate is made, I believe, every three years, of one farthing, and the expense is, probably, three or four times as much as the sum actually raised, because all the forms of assessing the land-tax, all the duplicates, all the payments into the Exchequer, must go on with as much regularity as if they were 100,000*l.* per year: therefore the Committee may easily conceive that the expense of levying that upon the inhabitants is three or four times as much as the sum paid into the Exchequer. Everton, Toxteth Park, and West Derby, 3*s.* 4*d.*; Manchester, including Ardwick, Cheetham, Chorlton Row, Hulme, and Salford, 1½*d.*; Preston, 0½*d.*"

Mr. Miller's work is divided into three chapters. Chapter 1 treats of assessments generally. Chapter 2, of the rights and remedies of persons unequally as-

essed to the land-tax. Chapter 3, of the acts for redemption and purchase of the land-tax.

Chapter 1 is divided into six sections, the subjects of which are respectively:—"1. Of the acts for assessing and collecting the land-tax. 2. As to the powers, duties, and qualifications of the commissioners and other officers. 3. As to the mode in which the assessments are to be collected. 4. As to the enactments relating to particular subjects and to particular places. 5. As to the persons and subjects exempted from the tax. 6. As to Scotland."

Chapter 3 is divided into five sections, which are as follows:—"1. As to the parties entitled to redeem, and the mode of effecting redemptions. 2. As to the sale and mortgage of lands for the purpose of redemption. 3. As to the provisions in the Redemption Acts relating to contracts for redemption generally. 4. As to the redemption of land-tax on Crown lands, or lands within the Duchies of Cornwall and Lancaster. 5. As to sales and charges of lands in Scotland for the purposes of redemption."

We subjoin an important extract from the first section of the first chapter:—

"The first statute containing explicit directions for assessing and collecting land-tax in England and Wales, is the 4 Will. & M. c. 1, the provisions of which were for the most part embodied in acts of Parliament annually passed to continue the tax till the year 1798, when the stat. 38 Geo. 3, c. 5, was passed, under which the land-tax has ever since been collected. By this act a sum of 1,989,673*l.* was directed to be raised in England and Wales, according to the several proportions at which each county, city, borough, or town was then assessed. These proportions are set forth in the 2nd section of the act, and the commissioners appointed by it were empowered to determine what part of the sum assessed upon each county should be charged upon each hundred, lathe, wapentake, rape, or other division within England, Wales, or Berwick-upon-Tweed; but, in settling such quota, the commissioners were to be governed by the assessments made in pursuance of the statute of Will. & M. c. 7.

"The subjects upon which the tax is directed to be levied, and the rate at which it was to be assessed, are as follows:—

Ready money, debts, goods, wares, merchandise, or other chattels, or personal estate, (except desperate debts, stock on land, household goods, and loans to his Majesty)†	} After the rate of 20 <i>s.</i> * for every 100 <i>l.</i>

* 2*s.* by the 4 Will. & M. c. 1, s. 2—i. e. 4*s.* in the pound on 6*l.*, the legal interest of 100*l.* at that time. In one of the enactments during the Commonwealth, preserved in Scobell's Collection, part 2, p. 400, the words are, "by an equal rate, wherein every 20*l.* in money, stock, or other personal estate shall bear the like charge as shall be laid on every 26*l.* yearly rent or yearly value of land." According to this, if 20*l.* yearly rent pay 4*s.*, 100*l.* of money or stock would pay 20*s.*

† "By the 3 & 4 Will. 4, c. 12, the duties on personal estate are repealed; and by the 6 Geo. 4, c. 9, s. 21, it is declared, that the duty on salaries, offices, or employments of profit, annuities, pensions, stipends, or other annual payments, shall not be charged upon any salaries, &c. which shall have been specially exempted from the payment of any aids or taxes by any act of Parliament; or where any such salaries, &c. shall, by any order of his Majesty in council, or by any warrant under his Majesty's royal sign-manual, or by any order of the Commissioners of the Treasury, have been directed to be paid net, or without deduction; or where the sums assessed on any such salaries, &c. shall, by like order of the Commissioners of the Treasury, have been directed to be repaid or reimbursed to the persons assessed out of the public revenue; it being also provided, that the authority for any such payment net, or repayment, shall be certified by some principal

"Public offices or employments of profit, (excepting military officers of the army or navy), salaries, gratuities, bounty-money, rewards, fees, profits, perquisites or advantages, annuities, pensions, stipends, or other yearly payments, either out of the receipt of the Exchequer, or out of any branch of the revenue of the Crown"

After the rate of 4s. in the pound per annum on the annual amount.

"Manors, messuages, lands, quarries, mines, iron-mills, furnaces, and other iron-works, salt-springs and salt-works, alum-mines and works, parks, chases, warrens, woods, underwood, coppices, fishings, tithes, tolls, annuities and other yearly profits, and all other hereditaments"

To be assessed, with as much equality and indifference as possible, by a pound rate, not exceeding 4s. in the pound, owner of land subject to a fee-farm rent, or other annual rent or payment, being entitled to make a proportionate reduction for such pound rate, (ss. 4, 5)."

In saying that the provisions of the 4 Will. & M. c. 1, "were for the most part embodied in acts of Parliament annually passed to continue the tax till the year 1798," Mr. Miller does not take any notice of the fact, that an alteration of most momentous, of vital importance, was made five years after the passing of the act 4 Will. & M. c. 1. The following statutes, viz. the 1 Will. & M. sess. 1, c. 20; the 1 Will. & M. sess. 2, c. 1; the 1 Will. & M. sess. 2, c. 5; the 4 Will. & M. c. 1; the 5 Will. & M. c. 1; the 6 & 7 Will. & M. c. 3; the 7 & 8 Will. 3, c. 5; and the 8 & 9 Will. 3, c. 6, 24, imposed a *bona fide* tax on real property—a *real*, not a *nominal*, land-tax—at the rate of 4s. in the pound, to be raised in each of those six years, *on the full and true annual rental, at the time of assessing thereof*, of all the real property in the kingdom. But by the stat. 9 Will. 3, c. 10, and all the subsequent statutes, called "Land-tax Acts," down to the 38 Geo. 3, c. 6, the frame and principle of the law were totally changed. A certain specified sum was then directed to be raised by a certain specified rate imposed on the *personal* property of the kingdom; and it was only any residue or deficiency that there might be which was to be made up from the pound-rate ordered to be levied upon the lands, tenements, &c. of the kingdom. It is therefore quite a mistake to say, as has been sometimes said, that, in levying the land-tax, the *principle* of the stat. 4 Will. & M. c. 1, is observed, the principle of that statute having been, to tax real property according to its full, true, actual value at the time of the assessment—that is, according to its full *present* value. The mistake, so far as it may be a mistake, of supposing that the principle and provisions of the stat. 4 Will. & M. c. 1, were preserved in the subsequent statutes, called Land-tax Acts, may probably have arisen from the circumstance, that the *proportion* in which the various counties, towns, and districts had contributed towards the assessment made under that act, was adopted by the Legislature as the *proportion* to be adopted in future assessments. There can be little doubt that the stat. 9 Will. 3, c. 10, of which all the subsequent statutes, by courtesy called Land-tax Acts, are merely copies, was skilfully framed for the purpose of protecting the land, and other real property, from

officer in the department to which the office or employment belongs."

* As Mr. Miller has put this, it has a somewhat unusual and, to modern notions, incongruous appearance. The words of the act are, "such military officers who are or shall be in muster by the muster master-general of the army, or in pay in their Majesties' army or navy in respect of such offices, only excepted." (4 Will. & M. c. 1, s. 3).

† See note † in the preceding page.

paying a tax in proportion to the *growing* profit thereof. Whatever it may have brought to others, in the way of honour and profit, the act—we mean the 9 Will. 3, c. 10—certainly does credit to the skill and astuteness of its draftsman.

In regard to the remedies of persons unequally assessed to the land-tax, Mr. Miller's work will be found extremely useful and important. It has been generally supposed that assessments, when once returned, cannot be altered. Mr. Miller, however, states, in his Preface, and also in a note, at p. 28, that he is enabled to bear testimony to the practical working of the power of appeal given by the act 38 Geo. 3, c. 5, having himself succeeded, in several instances, in obtaining important reductions in the assessments. He in particular specifies one case, where the owner of nearly the whole property in a township was paying 1s. 3d. in the pound for land-tax, while the owners of property in other townships in the same division were paying only 5d., and in some cases 2d., in the pound. In this case he obtained relief to the extent of 200*l.* a year.

London Gazette.

TUESDAY, FEBRUARY 10.

BANKRUPTS.

HENRY JOHN STACEY, Crosby-row, Walworth-road, Surrey, grocer, dealer and chapman, Feb. 28 at 1, and April 5 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Hine & Robinson, 32, Charterhouse-square.—Petition dated Feb. 6.

JOHN SYDENHAM, Poole, Dorsetshire, printer, bookseller, bookbinder, and stationer, March 1 at half-past 12, and March 26 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Dickinson, Poole; Church & Langdale, Southampton-buildings, London.—Petition filed Feb. 7.

JOHN PRENTICE, Oxford, ironmonger, dealer and chapman, March 4 at 11, and April 8 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. J. & J. H. Linklaters, 1, Charlotte-row.—Petition dated Feb. 12.

RICHARD GREEN, Brighton, Sussex, ironmonger, dealer and chapman, March 2 at half-past 12, and April 6 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Bennett & Co., Brighton; Rickard & Walker, 29, Lincoln's-inn-fields.—Petition dated Feb. 14.

ROBERT KING, Oxford, coal merchant, dealer and chapman, Feb. 28 at half-past 1, and March 28 at half-past 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Fownall & Co., Staple-inn.—Petition dated Feb. 14.

JOSEPH JARDINE, Dartford, Kent, linen-draper, dealer and chapman, March 1 at 2, and April 9 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Jones, 15, Shoe-lane, Bucklersbury.—Petition filed Feb. 11.

THOMAS SKELTON SLEIGHTHOLME, (and not HIGHTHOLM, as advertised in last Friday's Gazette), Scarborough, Yorkshire, painter and decorator, dealer and chapman, March 5 and 26 at 1, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Robinson & Greene, Leeds.—Petition dated Feb. 14.

ABRAHAM DESFORGES WILLEY DESFORGES, Alford, Lincolnshire, brickmaker, dealer and chapman, March 6 and April 10 (and not on the 3rd, as advertised in last Friday's Gazette) at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Portington, Alford, Lincolnshire; Bunney & Wilson, Hull.—Petition dated Feb. 1.

ANGUS NICHOLSON, Bowling, near Bradford, Yorkshire, builder and bricklayer, dealer and chapman, March 4 and 26 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Foster, Bradford; Harle & Clarke, Leeds.—Petition dated Feb. 9.

WILLIAM RICHARDS the younger, Wednesbury, Staffordshire, coachsmith and axletree maker, dealer and chapman, (surviving partner of Henry Richards, lately carrying on trade under the firm of Richards & Son), March 5 at 12, and March 28 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Smith & James, Birmingham.—Petition dated Feb. 15.

GEORGE HUTTON, Sheffield, Yorkshire, grocer, March 9 and April 13 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Branson & Son, Sheffield.—Petition dated Jan. 26.

ELI CORNELIUS HAWKINS, Bath, Somersetshire, beer retailer and carrier by water, dealer and chapman, March 4 and April 3 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Hellings, Bath.—Petition filed Feb. 18.

JOSEPH STEVENS the younger, Coalbournbrook, Ambleside, Staffordshire, glass manufacturer, Feb. 28 and March 28 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Tarleton, Birmingham.—Petition dated Feb. 4.

JOHN ELLISON, Selby, Yorkshire, linen and woollen draper, March 7 and April 11 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Pearson & Hawdon, Selby; Bond & Barwick, Leeds.—Petition dated Feb. 12; filed Feb. 13.

ROBERT KNIGHT, Lancaster, tea dealer, dealer and chapman, March 4 and 27 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Mayhew, Wigan.—Petition dated Feb. 9.

JOHN JAFFA and **JOSEPH WILLIS**, Liverpool, tailors and drapers, dealers and chapmen, (trading under the firm of Jaffa & Co.), March 4 and 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Dodge, Liverpool; Bridger & Collins, King William-street, London.—Petition dated Feb. 5.

ROBERT ROBSON, Newcastle-upon-Tyne, manufacturer of plaster of Paris, dealer in cement, dealer and chapman, March 7 at 12, and April 9 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Brown, Newcastle-upon-Tyne; Brooksbank & Farn, 14, Gray's-inn-square, London.—Petition filed Feb. 14.

MEETINGS.

Hugh Williams, Birkenhead, Cheshire, builder, March 4 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*Thomas Leake*, Orston, Nottinghamshire, miller, March 1 at 11, District Court of Bankruptcy, Nottingham, ch. ass.—*Thomas Gill*, Castle-street, Leicester-square, Westminster, Middlesex, retailer of beer, March 1 at 11, Court of Bankruptcy, London, last ex.—*John Goss*, Devonport, Devonshire, draper, March 14 at 11, District Court of Bankruptcy, Plymouth, last ex.—*Joseph Henry Clegg*, Royton, Lancashire, cotton spinner, Feb. 27 at 11, District Court of Bankruptcy, Manchester, last ex.—*Richard Good*, Bishopsgate-street Without, London, stationer, March 1 at 1, Court of Bankruptcy, London, and. ac.; March 14 at 1, div.—*Wm. Parkinson*, Coppy Nook, Blackburn, Lancashire, cotton manufacturer, March 5 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Thos. Griffiths*, Blaenifed, Llandugwydd, Cardiganshire, auctioneer, March 7 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Chas. Wetherill*, Down-st., Piccadilly, Middlesex, ironmonger, March 12 at 11, Court of Bankruptcy, London, div.—*Alfred Morecraft*, Marlborough, Wiltshire, draper, March 14 at 12, Court of Bankruptcy, London, div.—*Wm. James Bebell*, Gloucester, ship builder, March 14 at 12, District Court of Bankruptcy, Bristol, div.—*Henry Cocker*, Hathersage, Derbyshire, needle manufacturer, March 15 at 12, District Court of Bankruptcy, Manchester, div.—*Samuel Stocks* and *Mortimer Lavater Tait*, Manchester, and Heaton Mercury, Lancashire, bleachers, March 14 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Thos. Collett* and *Joseph Smith*, Osett, near Wakefield, Yorkshire, cotton spinners, March 14 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Anderson Hanson, Bradford, Yorkshire, stuff merchant, March 4 at 11, District Court of Bankruptcy, Leeds.—*Henry Blain* and *Charles Thomas Pearce*, Vauxhall-gardens, Vauxhall, Surrey, wine merchants, March 13 at 12, Court of Bankruptcy, London.—*John Darby*, Dorset-mews, Dorset-square, Middlesex, horse dealer, March 13 at 11, Court of Bankruptcy, London.—*Henry Smith* the younger, South Ockendon, Essex, farmer, March 13 at 11, Court of Bankruptcy, London.—*Josiah Charter*, Grimstone, Norfolk, grocer, March 21 at 2, Court of Bankruptcy, London.—*Jas. Bowler*, Crescent, Southwark-bridge-road, Southwark, Sur-

rey, hat manufacturer, March 12 at 1, Court of Bankruptcy, London.—*Elias Cocker*, Manchester, cotton manufacturer, March 14 at 11, District Court of Bankruptcy, Manchester.—*George Davey*, Gwinear, Cornwall, miller, March 12 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Wm. Anderson, Nelson-st., City-road, and Norman's-buildings, Middlesex, engineer.—*Thos. Rickbell*, Walton-cottage, Cold Harbour-lane, Brixton, Surrey, and Woolwich, Kent, rocket manufacturer.—*George Gillingham*, Church-st., Chelsea, Middlesex, veterinary surgeon.—*Elizabeth Rust*, Fouchers, Good Easter, Essex, brickmaker.—*P. Millard*, Steeple Ashton, Wiltshire, grocer.—*Stephen Hopkins*, Princes-end, Sedgley, Staffordshire, grocer.—*Geo. Andrews*, King's Lynn, Norfolk, grocer.—*Thos. Wheeler*, Liverpool, fruit merchant.

PETITION ANNULLED.

Thomas Matthew Peacock, Lower Marsh, Lambeth, Surrey; High-st., Poplar, Middlesex; and Evelyn-st., Deptford, Kent, boot and shoe maker.

SCOTCH SEQUESTRATIONS.

Hugh M'Bean, Aberdeen, commission agent.—*John Goven*, Galashiels, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Shrubsole Lawrence, Margate, Kent, baker, Feb. 25 at 12, County Court of Kent, at Margate.—*Richard Green*, Bobbington, Staffordshire, farmer, March 4 at 12, County Court of Staffordshire, at Wolverhampton.—*Thomas Blower*, Wolverhampton, Staffordshire, builder, March 4 at 12, County Court of Staffordshire, at Wolverhampton.—*Thomas Anthony Ladd*, Ramsgate, Kent, bookseller, Feb. 26 at 10, County Court of Kent, at Ramsgate.—*Thomas Jell* the elder, Ramsgate, Kent, coach proprietor, Feb. 26 at 10, County Court of Kent, at Ramsgate.—*Alex. Hunter*, Ramsgate, Kent, shoemaker, Feb. 26 at 10, County Court of Kent, at Ramsgate.—*Stephen Holness*, Margate, Kent, hairdresser, Feb. 25 at 12, County Court of Kent, at Margate.—*Edward Powell*, Ramsgate, Kent, clerk of the chapel of ease, Ramsgate, Feb. 26 at 10, County Court of Kent, at Ramsgate.—*J. Wiseman*, Everton, near Liverpool, minister of a dissenting congregation, Feb. 25 at 10, Liverpool District County Court, at Liverpool.—*Henry Nathan*, Liverpool, general dealer, Feb. 25 at 10, Liverpool District County Court, at Liverpool.—*Wm. Roger Auster*, Birmingham, commercial clerk, March 9 at 2, County Court of Warwickshire, at Birmingham.—*Joseph Catley*, Birmingham, out of business, March 9 at 2, County Court of Warwickshire, at Birmingham.—*John Daniel*, Birmingham, baker, March 9 at 2, County Court of Warwickshire, at Birmingham.—*Samuel Bradbury*, Birmingham, fishmonger, March 9 at 2, County Court of Warwickshire, at Birmingham.—*Joseph Sutton*, Crowland, Lincolnshire, grocer, March 6 at 12, County Court of Lincolnshire, at Spalding.—*Wm. Lee Sumner*, Quadring, Lincolnshire, grocer, March 6 at 12, County Court of Lincolnshire, at Spalding.—*Thomas Wright Thacker*, Donington, near Spalding, Lincolnshire, farmer, March 6 at 12, County Court of Lincolnshire, at Spalding.—*Thomas Hart*, King Stanley, near Stroud, Gloucestershire, clothdresser, March 6 at 10, County Court of Gloucestershire, at Stroud.—*James Worsley*, Leicester, publican, March 14 at 19, County Court of Leicestershire, at Leicester.—*John Pegler*, Leonard Stanley, Gloucestershire, butcher, March 6 at 10, County Court of Gloucestershire, at Stroud.—*John O'Neill*, Liverpool, cabinet maker, Feb. 25 at 10, Liverpool District County Court, at Liverpool.—*Jos. Case*, Liverpool, clogger, Feb. 25 at 10, Liverpool District County Court, at Liverpool.—*Edward Crowhurst*, Hawel, Meopham, Kent, grocer, March 13 at 10, County Court of Kent, at Sevenoaks.—*Wm. Vaughan*, Birmingham, commercial clerk, March 9 at 2, County Court of Warwickshire, at Birmingham.—*William Hudson*, Owthorpe, near Eastington, Yorkshire, small farmer, Feb. 25 at 10, County Court of Yorkshire, at Howden.—*E. Grundon*, Howden, Yorkshire, miller, Feb. 25 at 10, County Court of Yorkshire, at Howden.—*Hen. Graves*, Yarm, Yorkshire, incumbent of High Worsall, March 12 at 10, County Court of Durham, at Stockton-on-Tees.—*William Johnson*, New Stranton, West Hartlepool, Durham, out of business, March 11 at half-past 10, County Court of Durham, at Hartlepool.—*James Cleal*, Lyme Regis, innkeeper, March

11 at 10, County Court of Devonshire, at Axminster.—*Jabez Jones*, Millbrook, Southampton, builder, March 21 at 11, County Court of Hampshire, at Andover.—*John B. Bilham*, Norwich, printer, March 8 at 10, County Court of Norfolk, at Norwich.—*Joseph Harvey*, Leicester, cabinet maker, March 14 at 10, County Court of Leicestershire, at Leicester.—*John Yates*, Wellington, Shropshire, out of business, March 8 at 10, County Court of Shropshire, at Wellington.—*E. Birch*, Wrockwardine, Shropshire, butcher, March 8 at 10, County Court of Shropshire, at Wellington.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 5 at 11, before Mr. Commissioner HARRIS.

Stephen Winder, Church-street, Greenwich, Kent, choosomonger.—*Josiah Wilson*, Stratford-terrace, Davenport-street, Commercial-road East, Middlesex, dealer in casks.—*George Millard*, Tabernacle-walk, St. Luke's, Middlesex, shoemaker.—*Thomas Payne*, Milton-street, Dorset-square, Middlesex, out of business.

March 6 at 11, before the CHIEF COMMISSIONER.

Robert Butt, Vauxhall-walk, Lambeth, Surrey, grocer.—*Thos. D. Pucher*, Lucas-street, Commercial-road, Middlesex, in the employ of the London Dock Company.—*R. Lumsden*, Mitcham, Surrey, market gardener.

March 6 at 10, before Mr. Commissioner LAW.

Jos. Percival, Crosby-row, Walworth, Surrey, upholsterer.—*James Kearney*, Park-place, Bayswater, Middlesex, clerk in the Money Order-office of the General Post-office, London.—*Benj. Arthy*, Ray-street, Clerkenwell, Middlesex, baker.—*Wm. Thos. Deane*, George-street, Richmond, Surrey, out of business.

March 7 at 11, before the CHIEF COMMISSIONER.

Aaron Nash, Upper Clapton, Middlesex, baker.

Saturday, Feb. 16.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

G. Booth, Bradford, Yorkshire, shopkeeper, No. 70,720 C.; *Wm. Wand*, assignee.—*Francis Treweek*, Camelford, Cornwall, innkeeper, No. 71,588 C.; *William Sloggatt* and *Richard Hicks*, assignees.—*Matthew Kestley*, Leicester, tallow chandler, No. 54,895 C.; *Joseph Gray*, assignee.—*Edward Effer*, Totnes, Devonshire, victualler, No. 71,921 C.; *John Heath*, assignee.—*Wm. Rudd*, King's Walden, Hertfordshire, farmer, No. 71,320 C.; *Daniel Bosworth*, assignee.—*Wm. Morgan*, Albert-street, Mornington-crescent, Hampstead-road, Middlesex, victualler, No. 61,250 T.; *John Parkinson*, assignee.—*Samuel Newson*, Great Russell-street, Bloomsbury, Middlesex, surgeon, No. 16,098 T.; *Robert Simpson*, new assignee, in the place of *Burwell Edwards*, deceased.

Saturday, Feb. 16.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

William Palmer, Stratford, Essex, slater: in the Queen's Prison.—*W. G. D. Wallis*, Change-alley, London, secretary to the Shannon Mining Company: in the Queen's Prison.—*George Henry Chilcote*, Nicholas-lane, London, attorney: in the Queen's Prison.—*Daniel Nettlefold*, Clay-hill, Epsom, Surrey, tailor: in the Gaol of Horsemonger-lane.—*Susannah Veerey*, widow, Lambeth-walk, Lambeth, Surrey, out of business: in the Gaol of Horsemonger-lane.—*Robert Dawley*, Southampton-place, George-street, Euston-square, Middlesex, livery-stable keeper: in the Debtors Prison for London and Middlesex.—*John Evans*, King's-road, Fulham, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Joseph Bothway*, Charlotte-row, Holloway-road, Islington, Middlesex, supernannated gunner in the Royal Navy: in the Debtors Prison for London and Middlesex.—*Charles Thomas Cauty*, Alsop-terrace, New-road, Middlesex, clerk in the General Post-office: in the Debtors Prison for London and Middlesex.—*Edward Tomlin*, Upper-street, Islington, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Joseph B. White* the younger, St. John's-street-road, Clerkenwell, Middlesex, out of business: in the Debtors

Prison for London and Middlesex.—*Henry Lee*, Havering-Atte-Bower, near Romford, Essex, farm bailiff: in the Debtors Prison for London and Middlesex.—*Roger Farrell*, St. Andrew's-hill, London, out of business: in the Queen's Prison.—*Robert Russell*, King-street, Kingland-road, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Charles Stanhope*, Snow-hill, London, out of employ: in the Debtors Prison for London and Middlesex.—*James Youens*, Queen's-square, Bartholomew-close, Aldergate-street, London, grocer: in the Debtors Prison for London and Middlesex.—*John Brownell*, Little Earl-street, Seven-dials, Middlesex, tripman: in the Debtors Prison for London and Middlesex.—*Charles Eastgate*, Long-acre, Middlesex, coachsmith: in the Debtors Prison for London and Middlesex.—*Wm. Pannell*, Barking, Essex, shopman to a grocer: in the Debtors Prison for London and Middlesex.—*D. F. Cooke*, Lambeth-street, Whitechapel, Middlesex, licensed victualler: in the Queen's Prison.

(On Creditor's Petition).

Chas. Turner, Duke-street, St. James's, Middlesex, clerk: in the Queen's Prison.

(On their own Petitions).

George Beesley, Greenwich, Kent, manufacturer of the Victoria washing and scouring liquid: in the Gaol of Maidstone.—*Robert Constantine*, Preston, Lancashire, out of business: in the Gaol of Lancaster.—*Thomas Cheetham*, Astley, near Manchester, provision dealer: in the Gaol of Lancaster.—*Josiah Crowther*, Oldham, Lancashire, out of business: in the Gaol of Lancaster.—*Edward Finney*, Liverpool, marine store dealer: in the Gaol of Lancaster.—*Charles Garton*, Bristol, out of business: in the Gaol of Bristol.—*Wm. Henry Haslam*, Hulme, Manchester, out of business: in the Gaol of Lancaster.—*Thomas Hall*, Great Marton, near Blackpool, Lancashire, fruit dealer: in the Gaol of Lancaster.—*Samuel Hughes*, Salford, Lancashire, accountant's clerk: in the Gaol of Lancaster.—*Wm. A. Mearns* the elder, Lewisham, Kent, commission agent: in the Gaol of Maidstone.—*Milton Smith*, Reddiah, near Manchester, out of business: in the Gaol of Lancaster.—*Fred. Shaw*, Hulme, Manchester, salesman: in the Gaol of Lancaster.—*Samuel Wood*, Manchester, beer-house keeper: in the Gaol of Lancaster.—*Samuel Horrocks*, Kersley, near Bolton-le-Moors, Lancashire, manager to a tar distiller: in the Gaol of Lancaster.—*Henry Smith Eggleston*, Gravesend, Kent, out of business: in the Gaol of Maidstone.—*Wm. H. Stable*, Chatham, Kent, attorney at law: in the Gaol of Maidstone.—*Josiah Crutchley*, Tettenhall, near Wolverhampton, Staffordshire, out of business: in the Gaol of Stafford.—*John Evans*, Gresham-st., London, attorney: in the Gaol of St. Thomas the Apostle, Devonshire.—*Joshua Gibson*, Birkenhead, Cheshire, milliner: in the Gaol of Chester.—*Charles Miller*, Richmond, Yorkshire, auctioneer: in the Gaol of York.—*Robert Vaughan*, Birkenhead, Cheshire, bookkeeper: in the Gaol of Chester.—*S. Walker*, Wheaton Aston, Lapsley, Staffordshire, agricultural machine maker: in the Gaol of Stafford.—*George Leadbeater*, Woodside, Littledean, Gloucestershire, out of business: in the Gaol of Gloucester.—*Christopher Heaps*, Back Salford, Clitheroe, Lancashire, labourer: in the Gaol of Lancaster.—*Josiah S. Osley*, Milton next Gravesend, Kent, out of business: in the Gaol of Maidstone.—*Joseph Parker*, Gravesend, Kent, out of business: in the Gaol of Maidstone.—*Peter Pender*, Flushing, near Falmouth, Cornwall, master mariner: in the Gaol of Bodmin.—*Eliza Whitworth*, widow, Foxgrove, near Newbury, Berkshire, in no business: in the Gaol of Reading.—*Joseph Wadsworth*, Northgate, Wakefield, Yorkshire, out of business: in the Gaol of York.—*Francis Baynham*, Bath, Somersetshire, surgeon dentist: in the Gaol of Wilton.

(On Creditor's Petition).

Henry Collins Manders, Ambleside, Westmoreland, gentleman: in the Gaol of Appleby.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 5 at 11, before Mr. Commissioner HARRIS.

Adjourned Case.

Michael F. Casanas, Bull-inn-court, Maiden-lane, Covent-garden, Middlesex, out of business.

March 6 at 10, before Mr. Commissioner LAW.

Johan Heinrich Gartenfeld, Lawrie-terrace, New Kent-road,

Willson, Market Rasen, Lincolnshire, general dealer, March 20 at 12, County Court of Lincolnshire, at Market Rasen.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 8 at 10, before Mr. Commissioner LAW.
William Henry Browne, Rodland, Bristol, professor of music.

March 9 at 11, before Mr. Commissioner PHILLIPS.
John Lee the elder, Bray's-buildings, Lower-road, Islington, Middlesex, gardener.—Samuel Hanna Carlisle, Romford, Essex, dissenting minister.—Frederick George Rimell, Dorville's-row, Hammersmith, Middlesex, carpenter.

March 11 at 11, before Mr. Commissioner PHILLIPS.
Francis Brittan, Ion-cottage, Downham-road, Hackney, Middlesex, commercial traveller.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 8 at 11, before Mr. Commissioner HARRIS.
Joseph John Arnold, Bruton-street, Bond-street, Middlesex, commission agent.—Samuel Adams, Exmouth-street, Stepney, Middlesex, out of business.—Henry Dunthorn, Russell-street, Bermondsey, Surrey, cooper.—George Seager, Wood-street, Cheapside, London, artificial flower manufacturer.—Frederick Moritz Bruggemeyer, Great Perry-street, Pontonville, Middlesex, wholesale milliner.—Henry Lea, Harrold's-wood-farm, Havering, near Romford, Essex, cattle dealer.

March 9 at 11, before Mr. Commissioner PHILLIPS.
John Bell, Upton-road North, De Beauvoir-town, Kingsland, Middlesex, commission agent.

March 11 at 11, before the CHIEF COMMISSIONER.
Mattee Bonacick, Queen's-court, King-street, Covent-garden, Middlesex, interpreter.—Jas. Bradley, Beresford-street, Walworth, Surrey, town traveller to an ironfounder.—Charles Eastgate, Long-acre, Middlesex, coachsmith.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Worcestershire, at WORCESTER,
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March 8 at 10.
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At the County Court of Devonshire, at the CASTLE OF EXETER, March 9 at 10.
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At the County Court of Berkshire, at READING, March 11 at 12.
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FRANCIS SIBSON, Esq., M.D., F.R.S., in the Chair.
The Chair to be taken at half-past seven o'clock precisely.
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MARCH 2, 1850.

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LONDON, MARCH 2, 1850.

THE debate on Mr. Fitzroy's motion (on the 26th February) to extend the jurisdiction of the county courts to 50*l.* is at least amusing, as shewing the readiness with which men will adopt, in support of their own views, a style of argument which, in the mouths of their opponents, they have long been accustomed to treat with unbounded contempt. As this is not a political journal, we are neither disposed nor at liberty to discuss the relative merits of different political creeds, whether the subject-matter to which they are applied be law or general government; but we are at liberty to take cognisance of the fact, that there are Conservatives, and that there are Whigs and Liberals; also that there is a Conservative style of argumentation, and a Whig and Liberal style of argumentation. Now, if the arguments used by the learned Attorney-General on this debate had emanated from a gentleman of the Conservative persuasion, they would in no degree have produced any feeling of surprise; they were of the true Conservative complexion. Tarry yet awhile. This was the sum and substance of them—we had not yet experience enough of the working of the county courts. "The cases stated," said the learned member, "by the honourable gentleman would be equally applicable to 51*l.* or 52*l.* as to 30*l.* or 40*l.* He was quite aware that a person who advocated the entire abolition of the superior courts, and the transference of all the business to the local courts, might bring forward those cases in support of his arguments; but those who thought that there should be some limit to the jurisdiction could hardly avail themselves of them. The honourable gentleman stated that there was no reason why the sum of 20*l.* had been taken. There was, however, the strongest possible reason for fixing

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on that sum. 20*l.* was the sum within which the Legislature had laid it down that a party could not be arrested, and it was the sum which the superior courts had deemed to be of so insignificant an amount as to be unworthy of expensive litigation. Nor had the experiment of the county courts been properly tried. It had only been in operation for two or three years; working well, he agreed, and giving great satisfaction hitherto for the collection of small debts; but what effect it would have for the encouragement of credit, and the improvidently incurring of debts, was a question which they had not yet had the means of ascertaining. It was, he asserted, a mere experiment, which had not been properly investigated, and the honourable gentleman had not the fullest means of ascertaining how an experiment of this description acted. The honourable gentleman had not correctly represented his views with respect to an appeal. What he said on a former occasion, and repeated now, was, that if they gave no appeal in the higher amounts, he apprehended the court would not work satisfactorily, because there would be no check upon the judge—there would be no Bar to interpose—no Press to publish the proceedings. Men swore in their own cases under the most exciting influences; and though the custom might work well in small amounts, yet he considered that it would be dangerous in large ones, on account of the great temptation; and he might state, as the result of his own professional experience, that in the case of arbitrations, where the arbitrator had the power to examine the parties, he never availed himself of it unless he were driven to it by the necessities of the case, so great was the temptation. If they gave an appeal in matters below 20*l.*, they destroy the court altogether; and if above 20*l.*, they dissatisfied the bulk of the suitors,



who, having actions under that sum, complained that, whereas their richer neighbours were allowed an appeal, no such privilege was extended to them. Moreover, every reversal would be jealously watched by the smaller suitors, and would be magnified into a proof of the incompetence of the judge; in fact, by giving an appeal, they shook the confidence of the public altogether in the court."

Now, if all this had proceeded from a leading Conservative, it would have been intelligible; coming from a Whig Attorney-General, it sounds at least strange. But let us see what there is in it as applied to the particular proposal for extending the jurisdiction of the county courts. Obviously nothing; because the experience we have had of the working of the county courts is of their working with a jurisdiction of 20*l.*, from which, of course, little or nothing in the way of specific conclusion can be deduced as to the mode in which they would work with a jurisdiction of 50*l.* The argument amounts to no more than this—we must not try a jurisdiction of 50*l.*, because we do not exactly know how a jurisdiction of 20*l.* works; as though one should say, we must not try how the navy can fight, because we do not yet know how the army fights.

The real question is, whether the reasons on which the public demand for, and the fitness of, a county court jurisdiction of 20*l.* was based, do not apply equally to a 50*l.* jurisdiction. Now, what were those reasons? They were simply, first, that demands of 20*l.* would not bear the expense of litigation conducted on the system of procedure proper to the superior courts; secondly, that such demands would not bear either the expense or the inconvenience of the suitors being removed, for the purpose of determining them, to any distance from their ordinary place of abode. These are reasons which apply with just as much force to demands for 50*l.* (perhaps one might even go higher) as to demands for 20*l.* For it is matter of the commonest experience, that it is scarcely possible for any contested action to be tried in the superior courts without the extra costs on either side making a considerable inroad into the half of 50*l.*, so that whoever wins the action and the costs, is still sure to lose a very large portion of his right. That this must be so is obvious, if it be recollected that the superior courts cannot be set in motion without formal pleadings, which must be prepared by educated attorneys, and, in most cases, settled by special pleaders; nor without evidence being prepared consistently with those pleadings, to do which requires again the services of the educated attorney, the pleader, and perhaps also of junior counsel. Lastly, that, when all is prepared for trial, the trial must be conducted by counsel. That all this is a proper and necessary course, when considerable sums or very important rights are at stake, is not denied; but it cannot, in the very nature of things, be obtained except at a costly outlay.

The difficulties that are made in reference to extending the jurisdiction of county courts, as to appeals and the attendance of a Bar, are purely imaginary. A competent Bar will be procured to attend wherever the interests of the parties are of sufficient magnitude, and the solution of their differences of sufficient difficulty, to make it worth their while to incur the expense of preparing their case with a view to engage counsel, and of retaining counsel. With regard to giving a right of appeal, nothing is easier. Let the right of appeal be given on a case to be stated by the Court, and be accompanied with a liability to deposit a sum to be fixed upon, and which should be sufficient to pay for moderate costs for the party appealed against, if his order should be supported, and be returned if the appeal succeeds; and there would be no great danger of too frequent or of oppressive appeals.

We shall not conclude without asking, as we have

done over and over again, why the public, enjoying a common-law county court jurisdiction, is not also to have such an equity jurisdiction? Why, while proposing to extend the jurisdiction of the county courts to 50*l.* for actions, does not Mr. Fitzroy introduce in his bill clauses for giving to the county courts an equitable jurisdiction, as to cases where the subject-matter does not exceed in value, say 150*l.* or 200*l.*? For such cases no simplification of the procedure of the High Court of Chancery can ever adapt it. And yet there are, among the humbler classes, thousands upon thousands of such cases which require equitable adjudication, and for which, adjudication in the county courts would be, at least, better than none.

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Depts., Abbott, Jenkins, & Abbott, New-inn.
- Sussex**—G. Campion Courthope, Esq., Whilgh, Ticehurst.
Undersh., W. H. Palmer, Esq., 24, Bedford-row.
Depts., Palmer, France, & Palmer, 24, Bedford-row.
- Warwickshire**—Darwin Galton, Esq., Edstone.
Undersh., Thomas Heath, Esq., Warwick.
Depts., Taylor & Collisson, 28, Great James-street, Bedford-row.
- Westmoreland**—George Edward Wilson, Esq., Heverham.
Undersh., John Heelis, Esq., Appleby.
Dep., George Mounsey Gray, 9, Staple-inn.
- Wiltshire**—Henry Gaisford Gibbs Ludlow, Esq., Heywood House, Westbury.
Undersh., Gabriel Goldney, Esq., Chippenham.
Dep., W. Lewis, 6, Raymond-buildings, Gray's-inn.
- Worcester**—John Goodwin, Esq., Worcester.
Undersh., Frederick Thos. Elgie, Esq., Worcester.
Depts., Clarke, Gray, & Woodcock, 20, Lincoln's-inn-fields.
- Worcestershire**—John Gregory Watkins, Esq., Woodfields, near Ombertley.
Undersh., Robert Gillam, Esq., Worcester.
Depts., White, Eyre, & White, 11, Bedford-row.
- York**—William Hotham, Esq., Fulford, near York.
Undersh., Henry Newton, Esq., York.
Depts., Fringle & Co., 3, King's-road, Bedford-row.
- Yorkshire**—William Ratson, Esq., Newby Wiske.
Undersh., William Gray, Esq., York.
Depts., Bell, Broderick, & Bell, 9, Bow-churchyard,

NORTH WALES.

- Anglesey**—Richard Griffith, Esq., Bodowyr-isaf, Anglesey.
Undersh., Thomas Owen, Esq., Langifin.
Depts., Abbott, Jenkins, & Abbott, New-inn.
- Carnarvonshire**—I. Walker, Esq., Minerva Hall, Wrexham.
Undersh., Williams & Lloyd, Pwllheli.
Depts., Williams & M'Leod, Paper-bdgs., Temple.
- Denbighshire**—John Burton, Esq., Minerva Hall, Wrexham.
Undersh., John James, Esq., Wrexham.
Depts., W. Ramondi & Tagart, 47, Lincoln's-inn-fields.
- Flintshire**—Ruddolph Wm. Basil G. Fleming, Esq., Dorvining.
Undersh., Arthur Troughton Roberts, Esq., Mold.
Depts., Milne, Parry, Milne, & Morris, Harcourt-buildings, Temple.
- Merionethshire**—Edward H. Griffith, Esq., Gwastadfryn.
Undersh., Isaac Gilbertson, Esq., Bala.
Depts., Holme, Loftus, & Young, 10, New-inn.
- Montgomeryshire**—John Davies Corrie, Esq., Dyserth, near Welsh Pool.
Undersh., Joseph Crane Griffiths, Esq., Welsh Pool.
Dep., John Symons, 33, Old Jewry.

SOUTH WALES.

- Breconshire**—Sir C. M. R. Morgan, Bart., Therrow, Brecon.
Undersh., David Thomas, Esq., (David Thomas & Banks), Brecon.
Dep., Henry Hammond, 16, Farnival's-inn.
- Cardiganshire**—Thomas Davies Lloyd, Esq., Brenwydd.
Undersh., William Griffith George, Esq., Cardigan.
Depts., Clayton & Cookson, New-sq., Lincoln's-inn.
- Carmarthen**—John Lewis, Esq., Carmarthen.
Undersh., William Jones, Esq., Carmarthen.
Depts., Poole & Gamlen, 3, Gray's-inn-square.
- Carmarthenshire**—William H. C. Davies, Esq., Noyaddfaur.
Undersh., Charles Bishop, Esq., Llandovery.
Depts., Gregory & Sons, 12, Clement's-inn.
- Glamorganshire**—Rowland Fothergill, Esq., Hensol Castle.
Undersh., Edward G. Smith, Esq., Merthyr Tydvil.
Depts., Abbott, Jenkins, & Abbott, 8, New Inn.
- Haverfordwest**—Henry George Pownes, Esq., Haverfordwest.
Undersh., Thomas Gwynne, Esq., Haverfordwest.
Depts., Holme, Loftus, & Young, 10, New-inn.
- Pembrokeshire**—William Richards, Esq., Tenby.
Undersh., William Lock, Esq., Tenby.
Depts., Norris, Allen, & Simpson, 20, Bedford-row.
- Radnorshire**—Edward M. Stevens, Esq., Crychell, Llananno.
Undersh., Richard Green, Esq., Knighton.
Depts., Richardson & Talbot, 47, Bedford-row.

* * Warrants are granted in Town for Breconshire, Cardiganshire, Flintshire, Merionethshire, Radnorshire, and all places except Bristol, Canterbury, Cinque Ports, Chester, Derbyshire, Durham, Exeter, Gloucestershire, Gloucester (City), Herefordshire, Kingston-upon-Hull, Lancashire, Lichfield (City), Monmouthshire, Nottinghamshire, Pembrokeshire, Southampton, Worcester (City), York (City), and the Welsh Counties not-before named. Office hours, in Term, from 11 till 4; and in Vacation, from 11 till 3.

London Gazettes.

TUESDAY, FEBRUARY 26.

BANKRUPTS.

- ABRAHAM WHEELER**, Buckingham, cabinet maker, upholsterer, and basket maker. March 12 at half-past 11, and April 11 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Risley, 54, Doughty-street, Mecklenburgh-square.—Petition dated Feb. 22.
- JAMES STARKEY**, Old-street, St. Luke's, Middlesex, carpenter and builder, March 12 at 2, and April 16 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Hine & Robinson, Charterhouse-square.—Petition filed Feb. 22.
- CHARLES JOSEPH CARTTAR**, (and not Cartlar, as advertised in last Friday's Gazette), Thornton-row, Greenwich, and Shooter's-hill, Kent, solicitor and newspaper proprietor, March 12 at 12, and March 26 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Nias, Copthall-court, Throgmorton-street.—Petition filed Feb. 15.

JOHN BERRYHILL CROSS, Cornhill, London, watch and chronometer maker, dealer and chapman, March 16 at 1, and April 13 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Kemp, 4, Henrietta-street, Covent-garden.—Petition dated Feb. 18.

JOHN DALE WOODCOCK, Leeds, Yorkshire, calenderer and finisher, March 12 at 12, and April 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Middleton, Leeds.—Petition dated Feb. 20.

GEORGE MATTHEWS, Monmouth, pianoforte and music seller, March 12 and April 9 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Nicholas, Monmouth; W. & C. Bevan, Bristol.—Petition filed Feb. 21.

LOUIS BERNARD CHOFFIN, Bristol, and Bath, Somersetshire, bookseller and stationer, March 12 and April 9 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Whittington & Gribble, Bristol; Strangways, King's-road, Gray's-inn.—Petition filed Feb. 15.

MEETINGS.

John Naphthali Hart, King-street, Finsbury-square, Middlesex, watch manufacturer, March 8 at 1, Court of Bankruptcy, London, ch. ass.—*George Slater*, Doncaster, Yorkshire, ironmonger, March 9 at 12, District Court of Bankruptcy, Sheffield, and. ac.—*Cornelius Robertson*, Masbro', Rotherham, Yorkshire, steel manufacturer, March 9 at 12, District Court of Bankruptcy, Sheffield, and. ac.—*L. Elliott* the younger, Rochdale, Lancashire, chemist, March 21 at 12, District Court of Bankruptcy, Manchester, div.—*Samuel Taylor*, Poynton, Cheshire, butcher, March 21 at 11, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Luke Davy, King-street-terrace, New North-road, and *Job Davy*, South-st., New North-road, Middlesex, builders, March 22 at half-past 1, Court of Bankruptcy, London.—*R. Jones*, Castle-street, Holborn, London, commission agent, March 21 at 11, Court of Bankruptcy, London.—*John Dixon*, Liverpool, grocer, March 21 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Tyer*, Gosport, Southampton, shoemaker, March 20 at 12, Court of Bankruptcy, London.—*John Robert Wright*, Leeds, Yorkshire, currier, March 21 at 11, District Court of Bankruptcy, Leeds.—*E. Remden*, Dewsbury, Yorkshire, bone merchant, March 21 at 11, District Court of Bankruptcy, Leeds.—*George M. Cowley*, Nottingham, scrivener, March 22 at 10, District Court of Bankruptcy, Nottingham.—*John Bowers*, *Joseph Bowers*, and *Sarah Ann Bowers*, Worcester, grocers, March 25 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Frederick Burt, Plymouth, Devonshire, boarding-house keeper.—*Henry Pinkey*, Plymouth, Devonshire, grocer.—*Thomas Martin*, Nicholas-square, Hackney-road, Middlesex, licensed victualler.—*James Reid*, Edgeware-road, Middlesex, draper.—*James Addington*, London-road, St. George the Martyr, Southwark, Surrey, oil and colour man.—*Wm. Alex. Reeves*, Maidstone, Kent, cabinet maker.—*John King* and *Joseph Francis King*, Well-row, St. Mary, Islington, Middlesex, builders.—*Edward Lewis Blackman*, Lombard-street, London, tailor.—*John Morrison*, Craven-st., Strand, Middlesex, tailor.—*Robert Belson*, Norwich, plumber.—*John Ward*, Bishopsgate-street Within, London, chemist.—*Henry Bennett*, Chatham, Kent, corn dealer.—*John Turnbull*, Scarborough, Yorkshire, linendraper.—*Henry Corbett*, Madras, East Indies, merchant.—*Robert Gibbs*, Birmingham, corn dealer.

PARTNERSHIP DISSOLVED.

Thomas Hodges G. Snowden and *Lodowick A. Pollock*, Ramsgate, Kent, attorneys, solicitors, and conveyancers, (under the firm of Snowden & Pollock).

SCOTCH SEQUESTRATIONS.

Rev. Wm. Ferrie, Anstruther Easter, Fifeshire, dealer in shares.—*James Howie*, Glasgow, undertaker.—*A. Ballantine*, Musselburgh, grocer.—*John Smart*, Elgin, builder.—*James C. Reddie*, Edinburgh, insurance broker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

H. Phipps, Hooknorton, Oxfordshire, gardener, March 12 at 12, County Court of Oxfordshire, at Banbury.—*D. Thomas*,

Cardiff, Glamorganshire, painter, March 9 at 10, County Court of Glamorganshire, at Cardiff.—*John Spencer*, Loughborough, Leicestershire, horse dealer, March 11 at 10, County Court of Leicestershire, at Loughborough.—*M. Edwards*, Wem, Shropshire, farmer, March 11 at 12, County Court of Shropshire, at Wem.—*John Wildon*, Great Driffield, Yorkshire, tailor, March 8 at 10, County Court of Yorkshire, at Great Driffield.—*Joseph Nicholson*, Great Driffield, Yorkshire, cooper, March 8 at 10, County Court of Yorkshire, at Great Driffield.—*Thos. Grimby*, Stratford-upon-Avon, Warwickshire, commercial clerk, March 14 at 2, County Court of Warwickshire, at Stratford-upon-Avon.—*Fred. Fisher*, Snave, near Brookland, Romney Marsh, Kent, farm bailiff, March 8 at 11, County Court of Kent, at Romney.—*Robert Palmer*, Cul-lompton, Devonshire, mason, March 14 at 10, County Court of Devonshire, at Tiverton.—*Wm. May*, Yatton, Somersetshire, auctioneer, March 13 at 11, County Court of Gloucestershire, at Bristol.—*John Becknell*, Hockworthy, Devonshire, out of business, March 14 at 10, County Court of Devonshire, at Tiverton.—*John Milcom*, St. George, Gloucestershire, dealer in horses, March 27 at 11, County Court of Gloucestershire, at Bristol.—*Walter Carter*, Bristol, out of business, March 27 at 11, County Court of Gloucestershire, at Bristol.—*Wm. J. Corne*, Chatham, Kent, tobaccoist, March 7 at 10, County Court of Kent, at Rochester.—*Wm. John Youlton*, Bristol, grocer, March 6 at 11, County Court of Gloucestershire, at Bristol.—*John Hickmott*, Eastgate, Rochester, Kent, out of business, March 7 at 10, County Court of Kent, at Rochester.—*Henry Dawes*, Great Malvern, Worcestershire, coach proprietor, March 15 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*David Wood*, Huddersfield, Yorkshire, slubber, March 15 at 10, County Court of Yorkshire, at Huddersfield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 12 at 11, before Mr. Commissioner HARRIS.
Benjamin Denton, White Swan-yard, Whitechapel, Middlesex, booking-office keeper.—*Chas. Langford*, South Crescent-mews, Burton-crescent, Middlesex, manager to a cab proprietor.—*Frederick Elphick*, Charles-street, Middlesex-hospital, Middlesex, plumber.

March 13 at 11, before the CHIEF COMMISSIONER.
Harry Joseph Willton, Deptford, Kent, plumber.—*John Foster Robinson*, Lower Eaton-street, Pimlico, Middlesex, plumber.—*Thomas Loveys*, Connaught-square, Edgeware-road, Middlesex, blacksmith.

March 13 at 10, before Mr. Commissioner LAW.
Robert Smith, Brooksby-street, Islington, Middlesex, out of employ.—*James Lamprell*, Broad-street, Ratcliffe, Middlesex, out of business.

Saturday, Feb. 23.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

William White, Burrows-street, South Shields, Durham, out of business, No. 72,028 C.; *Jedidiah John Holland*, assignee.—*Solomon Marks*, Houndsditch, London, carver and gilder, No. 61,257 T.; *Samuel Betteley*, assignee.—*Edward Armstrong*, Bradford, Yorkshire, tailor, No. 71,619 C.; *Henry Sagar*, assignee.—*John Tuzer*, Great Dover-street, Southwark, Surrey, builder, No. 61,098 T.; *Martin Sangster*, assignee.—*Edward Horlock Mortimer*, Bath, in no business, No. 58,992 C.; *William Withers*, assignee.

Saturday, Feb. 23.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—
(On their own Petitions).

John Allen, Mary-street, Hoxton Old-town, Middlesex, oil and colour man: in the Debtors Prison for London and Middlesex.—*Isaiah Hen. Cohen*, Lower-marsh, Lambeth, Surrey, shopman to an earthenware dealer: in the Gaol of Horse-monger-lane.—*William Henry Ayling*, New Oxford-street, Middlesex, surgeon-dentist: in the Debtors Prison for London and Middlesex.—*Charles Broadbridge*, Mornington-road, Regent's-park, Middlesex, architect: in the Debtors Prison for London and Middlesex.—*Richard Elmore*, Lahore-terrace,

Middle-heath-lane, Croydon-common, Surrey, surveyor: in the Gaol of Horse-monger-lane.—*James Hillman*, Victoria-place, Portland-place South, Clapham-road, Surrey, out of business: in the Gaol of Horse-monger-lane.—*Wm. Wise*, Grosvenor-street, Bond-street, Middlesex, missionary: in the Debtors Prison for London and Middlesex.—*William Bills*, Eastchurch, near Sheerness, Kent, grocer: in the Debtors Prison for London and Middlesex.—*Thomas Ross Weddell*, New Union-street, Little Moorfields, London, clerk to an official assignee: in the Debtors Prison for London and Middlesex.—*John Jones*, Forest-gate, near Wanstead, Essex, shopman to a hosier: in the Debtors Prison for London and Middlesex.—*Annie Cave*, spinster, Charrington-street, near Oakley-square, Camden-town, Middlesex, lodging-house keeper: in the Queen's Prison.—*John Millen*, Patriot-square, Cambridge-heath-road, Middlesex, farmer: in the Debtors Prison for London and Middlesex.—*John Powell*, Leadenhall-market, London, licensed victualler: in the Debtors Prison for London and Middlesex.—*William Harnett*, Eden Minster, near Ramsgate, Isle of Thanet, Kent, farmer: in the Debtors Prison for London and Middlesex.—*William Davis Haskell*, Belgrave-terrace, Pimlico, Middlesex, architect: in the Queen's Prison.—*William Wheatcraft* the younger, St. John-street, Clerkenwell, Middlesex, dealer in electro-plated goods: in the Debtors Prison for London and Middlesex.—*James Timson*, Duke-street, Portland-place, Middlesex, livery-stable keeper: in the Debtors Prison for London and Middlesex.—*Andres Kistler*, Romford, Essex, watchmaker: in the Queen's Prison.—*Chas. Watson*, Devonshire-place, Upper Kennington-lane, Lambeth, Surrey, clerk: in the Debtors Prison for London and Middlesex.—*Chas. Cooby*, Easenhall, Warwickshire, farmer: in the Gaol of Coventry.—*David Davies*, Blaenavon Iron-works, Monmouthshire, grocer: in the Gaol of Monmouth.—*David Jackson*, York, attorney: in the Gaol of York.—*Lewis Walters*, Pentrewrith Lansamlet, Glamorganshire, coal dealer: in the Gaol of Cardiff.—*Wm. Jenkins*, Penydarran, Merthyr Tydvil, Glamorganshire, publican: in the Gaol of Cardiff.—*John Williams*, Merthyr Tydvil, Glamorganshire, greengrocer: in the Gaol of Cardiff.—*Wm. Seward*, Landport, Portsea, Hampshire, lieutenant in her Majesty's Royal Navy: in the Gaol of Winchester.—*George Kent*, Melbourn, Yorkshire, grocer: in the Gaol of York.—*John Boys*, Fulneck, Pudsey, Yorkshire, cloth manufacturer: in the Gaol of York.—*Emma Jane Mary Courtenay*, spinster, Bath, Somersetshire: in the Gaol of Wilton.—*William Deanton*, Burnham, Somersetshire, painter: in the Gaol of Wilton.—*Walter Richards*, West Camel, near Somerton, Somersetshire, farmer: in the Gaol of Wilton.—*Wm. Abnerworth*, Blackburn, Lancashire, piecer: in the Gaol of Lancaster.—*Thos. Clarkson*, Leeds, Yorkshire, innkeeper: in the Gaol of York.—*George Ward Gowlan*, Durham, grocer: in the Gaol of Durham.—*Wm. Halliday*, Liverpool, hotel keeper: in the Gaol of Lancaster.—*Robert Waddington*, Boston, near Tadcaster, Yorkshire, shopkeeper: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 13 at 10, before Mr. Commissioner LAW.
James Youens, Queen-square, Bartholomew-close, Aldersgate-street, London, grocer.—*Henry Gatton*, Villiers-street, Strand, Middlesex, in no business.—*Charles Percival*, Grosvenor-park, Camberwell, Surrey, out of employment.—*Thos. Whitley Dawson*, Dover-road, Southwark, Surrey, corn and coal dealer.—*William Palmer*, Stratford, Essex, slater.

March 14 at 11, before the CHIEF COMMISSIONER.
George William Dyson, Howard-st., Strand, Middlesex, gentleman.—*John Bartlett*, Belvidere, Cambridge-road, Bethnal-green, Middlesex, collector of rents and debts.—*William Goddard*, Lambeth-road, St. George's, Southwark, Surrey, out of business.—*Robert Russell*, King-st., Kingland-road, Middlesex, builder.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Somersetshire, at TAUNTON,
March 14.
Francis Bayntun, Bath, surgeon-dentist.
At the County Court of Lincolnshire, at LINCOLN, March 16 at 10.
John Eldred, Grantham, in no business.

At the County Court of Glamorganshire, at CARDIFF, March 9.

Lewis Williams, Aberdare, grocer.—*Lewis Walters*, Pen-tre-writh, Lansamlet, out of business.—*John Williams*, Merthyr Tydvil, greengrocer.—*Wm. Jenkins*, Merthyr Tydvil, publican.
At the County Court of Derbyshire, at DERBY, March 16 at 11.

James Camomile, Chesterfield, publican.—*John Sutcliffe*, Buxton, out of business.

FRIDAY, MARCH 1.

BANKRUPTS.

JOHN BELBIN, (and not *Belpin*, as advertised in last Friday's Gazette), Beaumont-st., St. Marylebone, Middlesex, coachmaker, and now a prisoner for debt in the Queen's Bench Prison, March 5 and April 5 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Messrs. Bicknell, 79, Connaught-terrace, Edgeware-road.—Petition filed Feb. 12.

BERNARD MARTINELLI, Frederick-st., Regent's-park, and Nottingham-mews, High-st., Marylebone, Middlesex, coachmaker, dealer and chapman, March 7 at 12, and April 12 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Vaughan, 69, Lincoln's-inn-fields.—Petition dated Feb. 16.

JOHN KING WATTS, St. Ives, Huntingdonshire, scrivener, dealer and chapman, March 9 at 1, and April 27 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Day, or Newton & Wallingford, St. Ives; Parker & Co., 17, Bedford-row.—Petition dated Feb. 18.

RICHARD LANGLEY, Old Paradise-row, Islington, Middlesex, licensed victualler, March 15 at 1, and April 16 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Flavell, 21, Bedford-row.—Petition filed Feb. 19.

JABEZ HUNT, Bath, Somersetshire, victualler, dealer and chapman, March 18 and April 15 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Hellings, Bath.—Petition filed Feb. 28.

LUCIUS THEODORE SABINE, Weymouth, Dorsetshire, ironmonger, dealer and chapman, March 13 at 11, and April 4 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Herniman; Sols. Mansfield & Andrews, Dorchester; Stogdon, Exeter.—Petition filed Feb. 19.

JOHN NEVEN DATHAN, late of Manchester, but now of Cannon-street-road, Middlesex, ironmonger, dealer and chapman, March 16 at 12, and April 27 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Young; Sol. Fretson, Sheffield.—Petition dated Feb. 14; filed Feb. 16.

JOHN FAWCETT, Kingston-upon-Hull, timber merchant, proprietor and worker of saw and planing, chicory and rice mills, dealer and chapman, (trading under the style or firm of Fawcett & Holmes), March 13 and April 10 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Stamp, Hull.—Petition filed Feb. 27.

JOHN HARDINGE VEITCH, Durham, printer, stationer, brewer, and innkeeper, dealer and chapman, March 14 at half-past 12, and April 26 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Thompson, Durham; Hodge, Newcastle-upon-Tyne.—Petition filed Feb. 21.

THOMAS ATKINSON, Liverpool, slater and plasterer, March 18 and April 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sol. Atkinson, Liverpool.—Petition dated Feb. 27.

MEETINGS.

Donald Maclean, Upper Brook-street, Grosvenor-square, Middlesex, brickmaker, March 12 at 12, Court of Bankruptcy, London, pr. d.—*Robert Bishop*, Vere-street, Oxford-street, Middlesex, hotel keeper, March 15 at 2, Court of Bankruptcy, London, pr. d.—*Wm. H. Lerew*, Upper Norton-st., Fitzroy-square, Middlesex, apothecary, March 15 at 2, Court of Bankruptcy, London, pr. d.—*W. G. Hatheway*, Stanford-bridge, Great Sheldale, Worcestershire, grocer, March 12 at 12, District Court of Bankruptcy, Birmingham, pr. d.—*J. Gilligan*, Ham, Surrey, baker, March 12 at 12, Court of Bankruptcy, London, ch. ass.—*Wm. Williams* and *Joseph Sewell*, Newport, Monmouthshire, corn merchants, March 27 at 11, District Court of Bankruptcy, Bristol, ch. ass.—*Wm. Sheward*, Norwich, pawnbroker, March 15 at 11, Court of Bankruptcy, London, last ex.—*John Chisholm* and *W. Chisholm*, Dorking,

Surrey, and Ludgate-hill, London, wholesale perfumers, March 15 at 1, Court of Bankruptcy, London, last ex.—*J. Hawke*, King William-st., London, hatter, March 19 at 11, Court of Bankruptcy, London, last ex. and aud. ac.—*George Trotter*, Gloucester, coachmaker, March 19 at 12, Court of Bankruptcy, London, last ex.—*Thomas Lediard*, Cirencester, Gloucestershire, money scrivener, March 28 at 11, District Court of Bankruptcy, Bristol, last ex.—*Henry J. Hinman*, Barry, Lancashire, apothecary, March 6 at 11, District Court of Bankruptcy, Manchester, last ex.—*John Sewell*, Charles-street, Paddington, Middlesex, victualler, March 22 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Thomas W. Boulton*, Broad-court, Bow-street, Covent-garden, Middlesex, potato salesman, March 25 at 12, Court of Bankruptcy, London, aud. ac.—*Joseph Cary*, Shepton Mallet, Somersetshire, printer, March 28 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Joseph Grey*, South Preston, Northumberland, market gardener and banker, March 26 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thomas Browne*, Amble-house, Northumberland, shipowner, March 26 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; March 27 at 12, div.—*Joseph Clementson*, Whitehaven, Cumberland, tobacconist, March 26 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; March 27 at 11, fin. div.—*John Edward Todhunter*, Darlington, Durham, bookseller, March 12 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Wright*, Pendleton, Lancashire, dyer, March 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*William Townley*, Blackburn, Lancashire, cotton spinner, March 21 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Samuel Taylor*, Poynton, Cheshire, butcher, March 14 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Luke Elliott* the younger, Rochdale, Lancashire, chemist, March 15 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Aaron Lees*, Manchester, manufacturer and cotton spinner, March 21 at 12, District Court of Bankruptcy, Manchester, aud. ac.; March 22 at 12, fin. div.—*Lucy Pervers*, widow, Holsworthy, Devonshire, innkeeper, March 13 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*William Medland*, St. Austell, Cornwall, brewer, March 13 at 11, District Court of Bankruptcy, Exeter, aud. ac.; April 4 at 1, div.—*Wm. Lee*, Honiton, Devonshire, builder, March 13 at 11, District Court of Bankruptcy, Exeter, aud. ac.; April 4 at 1, div.—*Samuel Cockings*, Torquay, Devonshire, timber merchant, March 13 at 11, District Court of Bankruptcy, Exeter, aud. ac.; March 28 at 1, div.—*Joseph Morris*, Tattenhall, Staffordshire, butcher, March 20 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Augustus Alexander Lackersteen* and *William Hamilton Crane*, Moorgate-street, London, merchants, April 5 at 11, Court of Bankruptcy, London, div.—*John Sewell*, Charles-street, Paddington, Middlesex, victualler, March 26 at half-past 12, Court of Bankruptcy, London, div.—*Thomas Barrett*, Oxford, timber merchant, March 25 at half-past 2, Court of Bankruptcy, London, div.—*George Boss*, Brighton, Sussex, postmaster, March 25 at 2, Court of Bankruptcy, London, div.—*James Ellis*, Cremorne-house, Chelsea, Middlesex, licensed victualler, March 25 at 11, Court of Bankruptcy, London, div.—*Edward Whalley*, Kingsgate-street, High Holborn, Middlesex, clothworker, March 25 at 1, Court of Bankruptcy, London, div.—*Daniel Mallett*, College-street, Belvedere-road, Lambeth, Surrey, lighterman, March 25 at half-past 12, Court of Bankruptcy, London, div.—*Edward Reynolds* the younger, Southtown, Gorleston, Suffolk, miller, March 25 at half-past 1, Court of Bankruptcy, London, div.—*Thomas Walley* and *Philip Wesley Hardwick*, Oxford-street, Middlesex, linendrapers, March 22 at 12, Court of Bankruptcy, London, div. sep. est. of *Philip Wesley Hardwick*.—*William Sherwood*, Belvedere-road, Lambeth, Surrey, builder, March 23 at 12, Court of Bankruptcy, London, div.—*William Williams*, Goudhurst, Kent, wheelwright, March 26 at 11, Court of Bankruptcy, London, fin. div.—*Henry Girdlestone*, North Audley-street, Middlesex, apothecary, March 23 at 11, Court of Bankruptcy, London, div.—*Henry William Hemsworth*, Primrose-street, Bishopsgate-street, wine merchant, March 16 at 12, Court of Bankruptcy, London, div.—*James Carter*, Bristol, victualler, March 28 at 11, District Court of Bankruptcy, Bristol, div.—*William Morris*, St. Clears, Carmarthenshire, general-shop keeper, March 28 at 11, District Court of Bankruptcy, Bristol, fin. div.—*George Price*, Mer-

thyr Tydvil, Glamorganshire, innkeeper, March 25 at 11, District Court of Bankruptcy, Bristol, div.—*Robert Teyler*, Little Horton, near Bradford, Yorkshire, dealer in provisions, March 22 at 11, District Court of Bankruptcy, Leeds, div.—*John Wright*, Pendleton, Lancashire, dyer, March 25 at 12, District Court of Bankruptcy, Manchester, div.—*William Townley*, Blackburn, Lancashire, cotton spinner, March 22 at 12, District Court of Bankruptcy, Manchester, div.—*Thomas Potts*, Newcastle-upon-Tyne, draper, March 26 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Thos. Neworthy*, Heyward, Torquay, Devonshire, grocer, April 4 at 1, District Court of Bankruptcy, Exeter, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Warren Boulton, Broad-court, Bow-st., Covent-garden, Middlesex, potato salesman, March 25 at 12, Court of Bankruptcy, London.—*H. Wrede*, Kingland-place, Kingsland-road, Middlesex, pianoforte maker, March 22 at 11, Court of Bankruptcy, London.—*Thos. P. Hilder*, Buttsland Farm, Kingsnorth, Kent, dealer in hops, March 23 at 12, Court of Bankruptcy, London.—*Benj. Rawlings*, Queen's-row, Fimlico, Middlesex, linendraper, March 26 at half-past 11, Court of Bankruptcy, London.—*Robert Noble*, Lendenhall-street, London, tailor, March 23 at 12, Court of Bankruptcy, London.—*John Heaton*, Park, near Honley, Almondsbury, Yorkshire, clothier, April 8 at 11, District Court of Bankruptcy, Leeds.—*Wm. Firth*, *Henry Firth*, *Grace Wilson*, *Joseph Ryley*, and *Joshua Coates*, Stanningley, Yorkshire, scribbling millers, April 8 at 12, District Court of Bankruptcy, Leeds.—*Charles Sanderson*, Sheffield, Yorkshire, iron merchant, March 23 at 12, District Court of Bankruptcy, Sheffield.—*John Jones*, Tanyrallt, Denbighshire, quarryman, March 22 at 11, District Court of Bankruptcy, Liverpool.—*George Rennie*, Liverpool, merchant, March 22 at 11, District Court of Bankruptcy, Liverpool.—*Joseph Grey*, South Preston, Northumberland, market gardener, March 26 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*William Cornish*, Bristol, cabinet maker, March 26 at 11, District Court of Bankruptcy, Bristol.—*Richard Venning*, Totnes, Devonshire, cider merchant, March 26 at 11, District Court of Bankruptcy, Exeter.—*Thomas Hart*, Cullompton, Devonshire, baker, April 4 at 1, District Court of Bankruptcy, Exeter.—*Saml. Shepherd*, Cullompton, Devonshire, merchant, April 4 at 1, District Court of Bankruptcy, Exeter.—*John Stukes*, Exeter, innkeeper, March 26 at 11, District Court of Bankruptcy, Exeter.—*Vincent Cooke*, Worcester, cabinet maker, March 26 at 12, District Court of Bankruptcy, Birmingham.—*Benj. Jeffries*, Worcester, boat builder, March 26 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Bentley M'Leod, Brixton-rose, Surrey, common brewer.—*C. Smith Fenwick*, Tynemouth, Northumberland, banker.—*Thomas Allen*, Great Suffolk-street, Southwark, Surrey, Birmingham and Sheffield warehouseman.—*J. Durham*, Work-sop, Nottinghamshire, miller.—*Wm. Randall*, Bath, Somersetshire, shoemaker.—*Wm. A. Glover*, Tetbury, Gloucestershire, hatter.—*Michael M'Donnell*, Liverpool, shipowner.—*Joseph Bates*, Leeds, Yorkshire, sharebroker.

PARTNERSHIP DISSOLVED.

Wm. Fox, *John Joseph Mundell*, *John Iltid Nicholl*, and *Wm. Fox the younger*, Great Knight-ridge-street, Doctors' commons, London, proctors, (so far as regards the said John Joseph Mundell).

SCOTCH SEQUESTRATIONS.

Miss Helen Elder, deceased, Edinburgh.—*Miss Christian Elder*, deceased, Edinburgh.—*John Baird*, Glasgow, cattle dealer.—*George Crutchebank*, Cairnie, farmer.—*James Minto*, Edinburgh, copper-smith.—*David Credie*, Gatehouse of Fleet, Kirkcudbright, seedsman.—*Matthew Laurie*, Edinburgh, brewer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Davies, Stourbridge, Worcestershire, tailor, March 18 at 10, County Court of Worcestershire, at Stourbridge.—*I. Levy* and *I. Damsiger*, Liverpool, out of business, March 4 at 10, Liverpool District County Court, at Liverpool.—*Luke*

Williams, Newport, Gloucestershire, farmer, March 25 at 10, County Court of Gloucestershire, at Dursley.—*John Dutton*, Shordley, Flintshire, farmer, March 13 at 10, County Court of Denbighshire, at Wrexham.—*Richard Stevens*, Abingdon, Berkshire, coal merchant, March 13 at 11, County Court of Berkshire, at Abingdon.—*W. Reynolds*, Tranmere, Cheshire, grocer, March 8 at 10, Birkenhead District County Court, at Birkenhead.—*Thos. Shipway*, Wortley, Wotton-under-Edge, Gloucestershire, cloth dresser, March 25 at 10, County Court of Gloucestershire, at Dursley.—*Stephen Sartain the younger*, Bradford, Wiltshire, cattle dealer, March 11 at 12, County Court of Wiltshire, at Bradford.—*John S. Gilbert*, Kenilworth, Warwickshire, schoolmaster, March 15 at 10, County Court of Warwickshire, at Warwick.—*J. Webster*, Ampleforth, Yorkshire, shoemaker, March 30 at 11, County Court of Yorkshire, at Helmsley.—*J. Searell*, Staverton, Devonshire, yeoman, March 21 at 11, County Court of Devonshire, at Totnes.—*James Briggs*, Ipsley, Warwickshire, out of business, March 26 at 9, County Court of Worcestershire, at Redditch.—*J. Haslop*, Coventry, Warwickshire, licensed victualler, March 16 at 2, County Court of Warwickshire, at Coventry.—*Joe. Chavener*, Kenilworth, Warwickshire, in no business, March 15 at 10, County Court of Warwickshire, at Warwick.—*T. Oldhams*, Kenilworth, Warwickshire, butcher, March 15 at 10, County Court of Warwickshire, at Warwick.—*Joseph Jones*, Llanvigan, Brecknockshire, shoemaker, March 4 at 10, County Court of Brecknockshire, at Brecknock.—*Benj. Bond Potts*, Rugeley, Staffordshire, tailor, March 26 at 10, County Court of Staffordshire, at Rugeley.—*Philip Griffiths*, Wiston, Pembrokeshire, farmer, March 22 at 10, County Court of Pembrokeshire, at Haverfordwest.—*James Seymour*, Haverfordwest, painter, March 22 at 10, County Court of Pembrokeshire, at Haverfordwest.—*James Reed*, Redruth, Cornwall, cabinet maker, March 14 at 10, County Court of Cornwall, at Redruth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 15 at 10, before Mr. Commissioner LAW.

Jabez John Saunders, Church-street, Rotherhithe, Surrey, marine-store dealer.—*Wm. Leadbetter*, Pavilion-st., Sloane-st., Chelsea, Middlesex, tailor.—*Thomas Mellett*, Little Can-lisle-st., Lisson-grove, Marylebone, Middlesex, poultryer.

March 16 at 11, before Mr. Commissioner PHILLIPS.

Wm. Stephens, Clough's-cottage, Elizabeth-st., Fimlico, Middlesex, carman.—*James Harbree*, Salisbury-court, Fleet-st., London, cheesemonger.—*George Eccles*, Little Newport-st., Leicester-square, Middlesex, and Cross-street, East-road, Hoxton New-town, Middlesex, grocer.

March 18 at 11, before Mr. Commissioner PHILLIPS.

James Haliburton the younger, Commercial-road, Lambeth, Surrey, clerk in the Admiralty, Somerset House.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 15 at 11, before Mr. Commissioner HARRIS.

Daniel Nettelfold, Clay-hill, Epson, Surrey, tailor.—*Wm. Pennell*, Barking, Essex, shopman to a grocer.—*Jos. Both-way*, Charlotte-row, Islington, Middlesex, superannuated gunner in the Royal Navy.

March 16 at 11, before Mr. Commissioner PHILLIPS.

Wm. Jones the elder, Hamilton-row, Bagnigge-wells-road, Middlesex, milkman.—*Wm. Harnett*, Eden Minster, near Ramsgate, Isle of Thanet, Kent, farmer.—*Charles Williams* the younger, Penryn, Cornwall, grocer.

March 18 at 11, before the CHIEF COMMISSIONER.

Thos. Ross Weddell, New Union-street, Little Moor-fields, City, clerk to an official assignee.—*Chas. Watson*, Devonshire-place, Upper Kennington-lane, Lambeth, Surrey, clerk.

Adjourned.

March 15 at 10, before Mr. Commissioner LAW.

James Chapman, Flood's-terrace, Baresford-street, Walworth, Surrey, dealer in railway shares.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Charles Tce, Royton, near Oldham, Lancashire, provision-

shop keeper, No. 72,037; John Heape, assignee.—*William Daniels*, Hulme, Manchester, painter, No. 71,993; Reuben Sutcliffe, assignee.—*Thomas Howard Adcock*, Much Wootton, near Liverpool, schoolmaster, No. 71,592; Wm. Bolderston, assignee.—*John Naylor*, Manchester, common porter, No. 71,985; Peter Sidebottom, assignee.—*George Shepherd*, Preston, butcher, No. 72,071; John Utley, assignee.—*Chas. Rigby*, Heaton Norris, out of business, No. 72,094; Thomas Hilton, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, March 15 at 11.

Robert Constantine, Preston, out of business.—*William Ainsworth*, Blackburn, cotton piercer.—*William Haldiday*, Liverpool, out of business.—*William Taylor*, Liverpool, cart driver.—*George Collis*, New Hutton, near Kendal, Westmoreland, farmer.—*Samuel Wood*, Manchester, brass founder.—*John Mann*, Manchester, out of employment.—*P. Roberts*, Toxteth-park, Liverpool, shoemaker.

At the County Court of Devonshire, at the CASTLE OF EXETER, March 16 at 10.

William Bastard, Ashprington, innkeeper.—*John Pryn*, Buckland, Monachorum, farmer.

At the County Court of Warwickshire, at COVENTRY, March 16.

Charles Cooby, Easenhall, farmer.

At the County Court of Staffordshire, at STAFFORD, March 18 at 10.

Josiah Crutchley, Tettenhall, near Wolverhampton, in no business.—*Samuel Walker*, Wheaton Aston, near Penkridge, agricultural machine maker.—*Jos. Hadley*, Wolverhampton, grocer.—*Jos. Phillips Corbett*, Kingwinford, corn dealer.

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LONDON, MARCH 9, 1850.

IN completing our review of recent decisions relating to the liabilities of committeemen of railway companies*, the case of *Ashpittel v. Lercombe* (19 L. J., Ex., 82) next demands our notice. This was an action for money had and received, by an allottee, (who had agreed to accept the shares subject to the provisions of the subscribers' agreement), against a member of the committee of management, for the recovery of a deposit paid by the plaintiff, and now claimed by him on the ground that the scheme had proved abortive. No question was raised as to the defendant being the proper party to be sued, if the action could be maintained against any one, as the money was paid into a bank to the account of the managing committee; but it was contended, first, that the scheme could not be said to have proved abortive, so as to give the plaintiff any right of action; and, secondly, that he had acquiesced in the application of the deposits to the payment of preliminary expenses, the subscribers' agreement providing for such application. Upon the first objection, it was held, by the Court of Exchequer Chamber, that the onus probandi as to the abortiveness of the scheme lay upon the plaintiff; and as he had proved that he had paid his money for shares in a concern which was abandoned before it was carried into execution, he was entitled to recover it as money received to his use, the consideration having failed, unless he was shewn by the defendant (on whom the onus probandi in this respect lay) to have acquiesced in the application of the money which the directors made. The only evidence of such acquiescence (if any) was contained in the let-

ters of application and allotment, and the subscribers' agreement; but the Court held, that although the money, if applied according to the terms of the contract on which it had been paid, could not be recovered, and although in this case the subscribers' agreement did purport to authorise the expenditure of the deposits, yet it did not appear that when the plaintiff applied for shares he knew of this specific agreement, nor was it shewn even to have existed at that time; and further, that although he would have been bound by the terms of such a deed as he might have been properly called upon to subscribe, and which the directors gave him an opportunity of executing, yet in this case the deed produced was an improper one, inasmuch as it invested the directors with a larger power than the 7 & 8 Vict. c. 110, authorises them to assume, and purported to enable them to expend the deposits in the exercise of such excessive power.

It was also held, that a resolution, contained in a minute-book of the company, which, as forming part of the proceedings of the directors, had been handed by the defendant to a committee of inquiry appointed on the winding-up of the company, was thereby sufficiently recognised by him, to make it admissible as evidence against him, without calling the secretary, who had entered the resolution. The letters of a secretary to a railway company, however, not shewn to have been written by the authority of a committeeman, or to have been recognised by him, are not, in general, evidence against him. (See *Burnside v. Dayrell*, 3 Exch. 224; *Rennie v. Wynn*, 19 L. J., Ex., 2).

The several cases reported under the title of *Baily v. Macaulay* (14 Jur., part 1, p. 80) are important, as defining, in clear terms, the responsibility of committeemen to creditors of the company, and also as con-

* See former article on this subject, ante, p. 57.

taining a full review, and to a great extent a recognition by the Court of Queen's Bench, of the numerous decisions given by the Court of Exchequer on this subject. It would be tedious and unprofitable to enter into the special facts of these actions; but the following principles, extracted from the judgments delivered in them, are well worthy of attention:—

1. The proper question for the jury in such actions is, whether the defendant, either personally or by his authorised agent, entered into the contract sued upon.

2. No liability is incurred by merely becoming a provisional committeeman; but the consent to do so may be important, if it be also shewn that he knew of, and authorised, the incurring of expenses necessary to the formation of the company, and the goods, &c. sued for were so necessary.

3. A person, by acting on a provisional committee, may authorise an agent to contract on his credit, without giving, or intending to give, any direct authority to that effect.

4. A previous authority for this purpose may be inferred from subsequent conduct or admissions of the defendant; but they must appear to have been made from a consciousness of legal personal liability to the plaintiff in respect of the particular demand, and not merely from a desire to prevent litigation, or from a misconception of the law as to the liability of provisional committeemen, simply as such.

5. If it appear that the plaintiff looked only to the deposits for payment, he has no cause of action against individual committeemen.

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WE call the attention of our equity readers to two cases reported in the last number of THE JURIST, (*Stevens v. Keating*, 14 Jur., part 1, p. 157, and *Sargrove v. Mayhew*, Id. 158), both interesting, as exhibiting the marked disposition of Courts of equity, at this day, to model the rules of pleading and practice upon the doctrines of common sense, when they are not inextricably settled by authority upon opposite principles. The first case addresses itself to the question, what are, in a Chancery suit, costs in the cause; and, in particular, when the costs of an interlocutory proceeding, such as the costs of a motion for an injunction, or for any other order obtainable on motion, are costs in the cause. In two cases, *Finden v. Stephens*, (16 Sim. 40), and the principal case, the Vice-Chancellor of England had disallowed the defendant's costs of a motion unsuccessfully resisted by him, although the bill was ultimately dismissed, with costs; and his Honor appears to have done so on the authority of the first of Sir John Leach's famous canons as to costs, that "the party making a successful motion is entitled to his costs, but the party opposing it is not entitled to his costs as costs in the cause." Now, it is difficult to imagine a rule more repugnant to common sense and common justice, than that a party who had no right to sustain, and therefore never ought to have filed a bill, should be entitled to put the defendant to expense, because, in some interlocutory proceeding, founded on that very bill, he had succeeded. It may be quite true, that, in such interlocutory proceeding, it may have been right for the Court to make the order asked for by the plaintiff;

but it is quite a different thing to say that the defendant should be made to bear any of the expense of that incidental contention, which never ought to have taken place at all, because the principal claim was ill-founded, and never ought to have been brought forward. As, for instance, in the case of a claim by a company to carry a railway or a canal through a particular property, and a bill filed to restrain the company from so doing, it may be quite right, pending the trial of the right, to protect the owner of the land against an act, the result of which might be irremediable mischief, if he turns out to be in the right; but if his bill is ultimately dismissed, which would shew that he never had any claim to stop the company, does it not militate against common sense to say, not only that they are to bear having been stopped, without any sustainable claim to stop them, but that they are to bear the expense of resisting such unsustainable claim?

The Lord Chancellor has, in the case of *Stevens v. Keating*, decided that the rule of practice is according to the rule of common sense, and that when a bill is dismissed, with costs, costs in the cause include the costs of the defendant's unsuccessful resistance to a motion for an injunction, on the ground that, in such a case, the assumption of right, on which the injunction was obtained, turning out ultimately to be unfounded, the injunction was itself improperly obtained.

In the case next referred to, (*Sargrove v. Mayhew*), the Lord Chancellor has also overturned a refinement inaccurately supposed to be law. In that case the question was, whether, after a bill had been filed, one of the defendants becoming insolvent, the objection that his estate was no longer vested in him, but in his assignee, could be taken by plea, or whether it ought not to be taken by answer. The objection to the plea seems to have been, that it was a plea of a defect which did not exist at the time of the institution of the suit, and that such a plea cannot be sustained; in effect, that a plea must be a defence arising out of a fact existing at the time when the bill was filed. Now, what there is in the nature of a plea to justify this refinement, is certainly very puzzling. A plea is simply a short answer, stating one or two distinct facts, which, if true, render it impossible for the plaintiff to have relief, in the existing state of the record, and thereby render it quite immaterial, and therefore unnecessary, to state whether any of the allegations of the bill are true or not. In Lord Redesdale's description of a plea, (5th ed., p. 257; 4th ed., p. 218), there is not one word to shew that a plea must be of matter existing at the date of the bill, but simply to shew that it is a special answer, setting up some fact which reduces the cause, or part of it, to a single point. "A demurrer," he says, "has been mentioned to be the proper mode of defence to a bill when any objection to it is apparent on the bill itself, either from matter contained in it, or from defect in its frame, or in the case made by it. When an objection to a bill is not apparent on the bill itself, if the defendant means to take advantage of it, he ought to shew to the Court the matter which creates the objection, either by answer or by plea, which has been described as a special answer, shewing or relying upon one or more things as a cause why the suit should be either dismissed, delayed, or barred. The defence proper for a plea is such as re-

duces the cause, or some part of it, to a single point, and from thence creates a bar to the suit, or to the part to which the plea applies."

Now, as a matter of common sense, of what possible consequence can it be whether the matter pleaded in bar happened before or after the filing of the bill? The substantial difficulty is, that some matter does exist, which makes it impossible for the Court to give the relief asked by the plaintiff in the suit, constituted as it is. That it requires to be altered by supplemental bill, is no rational answer to the objection being taken by plea, any more than it would be to its being taken by answer; and accordingly, notwithstanding the case of *De Minckswige v. Udney*, (16 Ves. 466), in which the very point appears to have occurred, the Lord Chancellor has held that a plea of the insolvency of a co-defendant, happening since the filing of the bill, is a good plea.

ORDER OF COURT.

Saturday, February 23, 1850.

The Right Honourable CHARLES CHRISTOPHER LORD COTTENHAM, Lord High Chancellor of Great Britain, doth hereby order and direct in manner following, that is to say:—

That all causes required to be heard before the Lord Chancellor, or one of the Vice-Chancellors, shall, on and after the 1st day of March next, be set down for hearing by the Registrars, upon production to them of the certificate of the proper officer that the same is in a fit state to be set down for hearing, without any fiat, order, or direction from the Lord Chancellor for that purpose.

That on and after the said 1st day of March next, all causes for further directions, or on equity reserved after a trial at law shall have been had, or the certificate of a Court of law shall have been obtained, in pursuance of a decree or order pronounced by the Lord Chancellor, or one of the Vice-Chancellors, and all pleas, demurrers, exceptions and objections for want of parties required to be heard before the Lord Chancellor, or one of the Vice-Chancellors, shall be set down by the Registrars for hearing on orders drawn up by them upon petition to the Lord Chancellor, left with the Registrar, without any fiat or direction from the Lord Chancellor.

That in lieu and instead of the fees heretofore receivable by the Lord Chancellor's principal secretary on his own account, and on account of the gentlemen of the chamber, or of any other officer of the Court of Chancery, and paid at the office of the said principal secretary, he shall receive and take only the fees set out in the schedule hereto, except as to all petitions presented previous to the said 1st day of March next, the Court fees upon which are to be paid as heretofore.

COTTENHAM, C.

SCHEDULE ABOVE REFERRED TO.

	£	s.	d.
For every appeal or petition for rehearing of a cause	1	0	0
For every petition for a letter to any peer of this realm, and for the letter	1	0	0
For every petition, whether in a cause or where no cause is depending, including the fee on the hearing, heretofore payable to the gentlemen of the chamber to the Lord Chancellor	1	0	0
For copies of affidavits, 4d. per folio.			

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Frederick Romilly, Esq., for the city of Canterbury, in the room of Lord Albert Denison Denison, who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

London Gazette.

TUESDAY, MARCH 5.

BANKRUPTS.

WILLIAM LIVERMORE, Oxford-street, Middlesex, iron-monger, March 18 at 1, and April 15 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Schultz, 3, Staples-inn, Holborn.—Petition dated March 2.

GEORGE SMITH, Cumberland-row, King's-cross, Battle-bridge, Middlesex, cheesemonger, dealer and chapman, March 13 at 1, and April 16 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Goddard & Eyre, 101, Wood-street, Cheapside.—Petition filed Feb. 20.

JAMES BROOKS, Winalow, Buckinghamshire, victualler and cattle dealer, March 14 at half-past 12, and April 18 at half-past 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Willis, Winalow; Munday, 61, Carey-street, Lincoln's-inn.—Petition dated Feb. 28.

JOSEPH PURSELL, Wellington-street, Waterloo-town, and Mile-end New-town, Bethnal-green, Middlesex, butcher and cowkeeper, dealer and chapman, March 16 at 2, and April 27 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Donnan, 1, Princess-street, Spitalfields.—Petition dated March 1.

HENRY TITFORD, Worship-square, Middlesex, engraver and printer, dealer and chapman, March 16 at 1, and April 27 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Colley, 16, Bucklersbury.—Petition dated Feb. 26.

ROBERT PARKER, Nottingham, commission agent, March 22 and April 19 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Campbell, Nottingham.—Petition dated Feb. 28.

JOSEPH CHAWNER, Kenilworth, Warwickshire, grocer, March 16 at half-past 1, and April 15 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Motteram & Co., Birmingham.—Petition dated March 1.

EDWARD HODGES, Swinford, Leicestershire, surgeon and apothecary, dealer and chapman, March 15 and April 9 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Biggs, Bristol; Motteram & Co., Birmingham.—Petition dated Feb. 25.

JOSEPH DOWNHAM, Harrogate, Yorkshire, wine and spirit merchant, dealer and chapman, March 25 and April 9 at 1, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Shackleton, Leeds; Michael, 9, Red Lion-square, London.—Petition dated Feb. 23.

JOHN LA GUERRANDE, Liverpool, merchant, shipowner, and broker, dealer and chapman, (carrying on business under the style or firm of J. La Guerrande & Co.), March 14 and April 19 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Neal & Martin, Liverpool.—Petition dated and filed Feb. 28.

CHARLES THOMAS GLOVER, Manchester, smallware dealer, dealer and chapman, March 21 and April 11 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Webb, Birmingham; Burdett, Manchester.—Petition filed Feb. 23.

MEETINGS.

John Jones, Tanyralit, Llanddulas, Denbighshire, quarryman, March 15 at 11, District Court of Bankruptcy, Liverpool, pr. d.—George Stone, Colchester, Essex, grocer, March 15 at 11, Court of Bankruptcy, London, last ex.—Samuel Worth, Sheffield, Yorkshire, architect, March 16 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—John Serjeant, Worksop, Nottinghamshire, grocer, March 16 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—Frederick Collier Christy, Frederick Adams, and James Powell Hill, Rotherhithe, Surrey, engineers, March 26 at 1, Court of Bankruptcy, London, div.—William Hanbury, Shoreditch, Middlesex, distiller, March 26 at 12, Court of Bankruptcy, London, div.—James Atkins the elder and James Atkins the younger, Coulsdon, Surrey, lime merchants, March 26 at 1, Court of Bankruptcy, London, div.—William Forster, Philpot-lane, Fenchurch-street, London, tea dealer, March 26 at 2, Court of Bankruptcy, London, div.—Thomas Marshall, Hatfield-street, Christchurch, Surrey, licensed victualler, March 28 at 11, Court of Bankruptcy, London, div.—Elizabeth Harris Ryder,

Birmingham, jeweller, March 27 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Samuel Sutton, Old Bailey, London, hardwareman, March 26 at 1, Court of Bankruptcy, London.—*Thomas Gill*, Castle-street, Leicester-square, Westminster, Middlesex, retailer of beer, March 27 at 12, Court of Bankruptcy, London.—*Thos. Cox* and *Thomas Whiles*, Hanley, Staffordshire, drapers, March 27 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

James Alexander, Great Winchester-street, London, merchant.—*John Bessell*, Farringdon-street, London, glass merchant.—*Henry John Todd*, Bow-churchyard, London, and Liverpool, warehouseman.—*William Scott*, Earl's Heaton, Dewsbury, Yorkshire, blanket manufacturer.

FIAT ANNULLED.

George Fordham Blow, Great Dover-street, Newington, Surrey, currier.

SCOTCH SEQUESTRATIONS.

James Lumsden, Glasgow, merchant.—*Wm. Weatherly*, Edinburgh, grocer.—*Mrs. Margaret Henrietta Carmichael* or *Marshall*, deceased, Edinburgh, patent tonica or composite marble manufacturer.—*J. Johnston*, Glasgow, drain tile maker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Mould, Gateshead, Durham, victualler, March 25 at 10, County Court of Durham, at Gateshead.—*Wm. Davison*, Northampton, grocer, March 21 at 9, County Court of Northamptonshire, at Northampton.—*Eliz. Cullum*, widow, Botesdale, Suffolk, innkeeper, March 22 at 10, County Court of Suffolk, at Ipswich.—*John Newell*, Knotty Ash, West Derby, Lancashire, saddler, March 11 at 10, Liverpool District County Court, at Liverpool.—*W. Misell*, Liverpool, working jeweller, March 11 at 10, Liverpool District County Court, at Liverpool.—*Jos. Hukin*, Kingston-upon-Hull, ironmonger, March 23 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*George West*, Kingston-upon-Hull, painter, March 23 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Thomas Vaughan*, Liverpool, shoemaker, March 11 at 10, Liverpool District County Court, at Liverpool.—*W. Tranter*, Selby Oak, Northfield, Worcestershire, wheelwright, March 23 at 2, County Court of Warwickshire, at Birmingham.—*John Morrell*, King's Norton, Worcestershire, butcher, March 23 at 2, County Court of Warwickshire, at Birmingham.—*T. Maries*, Birmingham, clerk to a carrier, March 23 at 2, County Court of Warwickshire, at Birmingham.—*Fred. Southwell*, March 7 at 10, County Court of Shropshire, at Bridgnorth.—*John Cuthbertson*, Haverton-hill, Durham, glass manufacturer, March 20 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Henry Hower*, South Cerney, Gloucestershire, millwright, March 28 at 11, County Court of Gloucestershire, at Cirencester.—*George Hawley*, Kingston-upon-Hull, cigar dealer, March 23 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Geo. Sanderson*, Kingston-upon-Hull, tailor, March 23 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*George Self*, Redbridge, Millbrook, Southampton, butcher, March 19 at 10, County Court of Hampshire, at Southampton.—*T. Register*, Southampton, brewer, March 19 at 10, County Court of Hampshire, at Southampton.—*James Young*, Southampton, cabinet maker, March 19 at 10, County Court of Hampshire, at Southampton.—*Fred. Groombridge*, Redbridge, Millbrook, Southampton, innkeeper, March 19 at 10, County Court of Hampshire, at Southampton.—*Richard Ruddiforth*, Hedon, Yorkshire, coal dealer, March 23 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*John Riley*, Portsmouth, Hampshire, fruiterer, March 26 at 10, County Court of Hampshire, at Portsmouth.—*George Sweetingham*, Southampton, cordwainer, March 19 at 10, County Court of Hampshire, at Southampton.—*W. Angus*, Bristol, licensed victualler, March 20 at 11, County Court of Gloucestershire, at Bristol.—*John Wilkinson*, Lancaster, fishing tackle maker, March 16 at 11, County Court of Lancashire, at Lancaster.—*Joseph Webber*, Portsea, Hampshire, shoemaker, March 26 at 10, County

Court of Hampshire, at Portsmouth.—*Isaiah Tansley*, Lowestoft, Suffolk, shipowner, March 20 at 9, County Court of Suffolk, at Lowestoft.—*Josiah Farrow*, Wattisfield, Suffolk, cattle dealer, March 25 at 10, County Court of Suffolk, at Bury St. Edmund's.—*John Carlyon*, Mylor, Cornwall, carpenter, March 9 at 11, County Court of Cornwall, at Falmouth.—*P. Cook*, Martlesham, near Woodbridge, Suffolk, farm labourer, March 21 at 1, County Court of Suffolk, at Woodbridge.—*Thomas Hopkins*, Over, Cambridgeshire, wheelwright, March 22 at 3, County Court of Huntingdonshire, at Huntingdon.—*John Roseblade*, Latton, Wiltshire, stonemason, March 15 at 1, County Court of Wiltshire, at Swindon.—*Bliz. Steel*, Newcastle-upon-Tyne, flour dealer, March 20 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Edmund Simes*, Dallington, Sussex, labourer, March 25 at 11, County Court of Sussex, at Hastings.—*John Lynn*, Newcastle-upon-Tyne, licensed victualler, March 20 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Cuthbert Lambert*, Newcastle-upon-Tyne, cattle salesman, March 20 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Reuben Harris*, Briary-hill, Bedwely, Monmouthshire, beer retailer, March 21 at 10, County Court of Monmouthshire, at Tredegar.—*George Stuckey*, Cleve, Yatton, Somersetshire, farmer, April 17 at 11, County Court of Gloucestershire, at Bristol.—*John Dalton*, Portsmouth, Hampshire, shoemaker, March 26 at 10, County Court of Hampshire, at Portsmouth.—*George Clay*, Ledbury, out of business, March 23 at 10, County Court of Herefordshire, at Ledbury.—*Thos. Wilson*, Kingston-upon-Hull, out of business, March 23 at 10, County Court of Yorkshire, at Kingston-upon-Hull.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 19 at 11, before Mr. Commissioner HARRIS.

Eduard Wm. Smith, Broxbourn, Hertfordshire, carpenter.—*Richard Miller Shorter*, Spitalfields-market, Middlesex, potato salesman.—*Joseph Preston*, Hackney-road, Shoreditch, Middlesex, cheesemonger.—*Daniel Warner*, Shepperton-place, New North-road, Middlesex, bookseller.

March 20 at 11, before the CHIEF COMMISSIONER.

George Frederick Crouch, Grafton-st. East, Tottenham-court-road, Middlesex, carver in wood.—*Charles Davison*, Noah's Ark-court, Stangate, Westminster-bridge-road, Surrey, law writer.—*Joseph Hinckley*, Webber-st., Westminster-road, Surrey, conductor to an omnibus.—*Richard Jones Turk*, Poplar-row, New Kent-road, Surrey, pork salesman.—*Thomas Jopling*, Old Gravel-lane, St. George's-in-the-East, Middlesex, iron-plate worker.

March 20 at 10, before Mr. Commissioner LAW.

James Joseph Sarson, Coulford-road, De Beauvoir-square, Kingsland, Middlesex, out of business.—*T. Moore*, Munster-street, Regent's-park, Middlesex, dealer in china.—*Patrick Joseph Murphy*, Canterbury-row, Kennington, Surrey, doctor of medicine.

March 21 at 10, before Mr. Commissioner LAW.

George Hollingdale, Waterloo-road, Lambeth, Surrey, dealer in bacon.

Saturday, March 2.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Robert Brown, Liverpool, manager to a licensed victualler, No. 71,642 C.; *John Lea*, assignee.—*John Barker Hewett*, Stratford, Essex, carpenter, No. 72,075 C.; *Thomas Joseph Bilton*, assignee.—*Thomas Griggs*, Market Deeping, Lincolnshire, innkeeper, No. 71,922 C.; *Joseph Bower*, assignee.—*Joseph Davey*, Upper Whitecross-street, Middlesex, baker, No. 61,268 T.; *Charles Bourne*, assignee.—*Samuel Chantry*, Albany-rd., Camberwell, Surrey, cheesemonger, No. 61,270 T.; *George Hoare*, assignee.—*Joseph Low*, Great Bardfield, Essex, farmer, No. 61,251 T.; *James Low*, assignee.

Saturday, March 2.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Henry Patrick Kelly, Buckingham-st., Strand, Middlesex, iron merchant: in the Debtors Prison for London and Middlesex.—*Thos. Spiller*, Dudley-st., Monmouth-street, Seven-dials, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—*John Smith*, Bloomsbury-street, High Holborn, Middlesex, clerk to the Commissioners of Property and Income Tax: in the Debtors Prison for London and Middlesex.—*John McKeand*, Gloucester-terrace, New-road, Middlesex, linen-draper: in the Debtors Prison for London and Middlesex.—*Jos. White*, Welbeck-st., Cavendish-square, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—*John Pinner*, Regent-place, Globe-road, Mile-end, Middlesex, undertaker: in the Debtors Prison for London and Middlesex.—*Mary Marshall*, John-st., Holland-st., Blackfriars-road, Surrey, in no business: in the Gaol of Horse-monger-lane.—*Joseph Underhill*, St. Mark's-place, Fulham-road, Little Chelsea, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Joel Levy*, Chatham, Kent, salesman: in the Debtors Prison for London and Middlesex.—*John Wakeman* the elder, St. Peter's-place, Hammersmith, Middlesex, carman: in the Debtors Prison for London and Middlesex.—*Wm. Quin*, Caroline-st., Eaton-square, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*Richard Cockhead*, Bury-street, Bloomsbury, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*G. Jentsen*, Cumberland-st., Chelsea, Middlesex, coffee-house keeper: in the Debtors Prison for London and Middlesex.—*John Smith*, Randall-st., Limehouse, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Caleb Lewis* the elder, Chapel-st., Lamb's Conduit-st., Middlesex, blacking manufacturer: in the Debtors Prison for London and Middlesex.—*James Dudley*, Whitecross-street, St. Luke's, Middlesex, brewer's servant: in the Debtors Prison for London and Middlesex.—*Wm. Caslake* the younger, Manor-st., Old Kent-road, Surrey, coach builder: in the Debtors Prison for London and Middlesex.—*Thos. Calcutt*, Torrington-mews, Burwood-place, Paddington, Middlesex, gentleman's coachman: in the Debtors Prison for London and Middlesex.—*Christopher Bennett*, Ankerwicke-villas, Shrubland-road, Queen's-road, Dalston, Middlesex, cloth agent: in the Debtors Prison for London and Middlesex.—*Joseph Davis*, Duke-street, Bloomsbury, Middlesex, clock maker: in the Debtors Prison for London and Middlesex.

(On Creditors' Petitions).

Lewis Jones, Camberwell, Surrey, and Bartlett's-buildings, Holborn, London, and Farnival's-inn, Middlesex, clerk to an attorney: in the Queen's Prison.—*James Watson*, Fleet-st. and Holborn, London, baker: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

Henry Cusliffe, Oldham-road, Manchester, currier: in the Gaol of Lancaster.—*George Collin*, Raw Head, New Hutton, near Kendal, Westmoreland, farmer: in the Gaol of Lancaster.—*John Dowd*, Liverpool, publican: in the Gaol of Lancaster.—*Thomas Mackell*, Manchester, provision dealer: in the Gaol of Lancaster.—*Christopher Taylor*, Kendal, Westmoreland, butcher: in the Gaol of Lancaster.—*Samuel Brook*, Owlet Hirst, Liversedge, near Heckmondwike, Yorkshire, farmer and blanket dealer: in the Gaol of York.—*Joseph Yewdall*, Snape, near Bedale, Yorkshire, currier: in the Gaol of York.—*Samuel Stubbs*, Sunny Brow, Gorton, near Manchester, farmer: in the Gaol of Lancaster.—*Gerrard Burns*, Manchester, provision dealer: in the Gaol of Lancaster.—*James Mason*, Albourne, near Hurstperpoint, Sussex, licensed victualler: in the Gaol of Lewes.—*Thomas Cotton*, Lewes, Sussex, milliner: in the Gaol of Lewes.—*Thos. Swan*, Lyme Regis, Dorsetshire, lodging-house keeper: in the Gaol of Dorchester.—*George Tucker*, Bath, Somersetshire, coach-builder: in the Gaol of Wilton.—*Matthew Walker*, Yeadon, near Leeds, Yorkshire, dealer in herrings: in the Gaol of York.—*James D. Green*, Leeds, Yorkshire, plaid manufacturer: in the Gaol of York.—*Walter Love*, Huddersfield, Yorkshire, pawnbroker's assistant: in the Gaol of York.—*Thomas Davison*, Stainton, near Stokealey, Yorkshire, com-

mercial traveller: in the Gaol of York.—*George Parsons*, Sheffield, Yorkshire, innkeeper: in the Gaol of York.—*Rich. Pitt*, Dewsbury, Yorkshire, stonemason: in the Gaol of York.—*Thomas William Berry*, Lower Broughton, Manchester, accountant: in the Gaol of Lancaster.—*Daniel Davies*, Down-lais, near Merthyr Tydvil, Glamorganshire, shopman: in the Gaol of Cardiff.—*Owen Bowen*, Pen-y-darren, Merthyr Tydvil, Glamorganshire, grocer: in the Gaol of Cardiff.—*S. Wilkes*, Darlaston, near Wednesbury, Staffordshire, pudler at an iron works: in the Gaol of Stafford.—*Job Jones*, Darlaston, near Wednesbury, Staffordshire, gun-lock filer: in the Gaol of Stafford.—*Samuel C. M. Bradley*, Wolverhampton, Staffordshire, tea dealer: in the Gaol of Stafford.—*Mary Ann Wilkes*, spinster, Darlaston, near Wednesbury, Staffordshire, maker and vendor of sweetmeats: in the Gaol of Stafford.—*Henry Timmis*, Newcastle-under-Lyme, Staffordshire, miller: in the Gaol of Stafford.—*John Farrington* the younger, Preston, Lancashire, cotton carder: in the Gaol of Lancaster.—*S. Clark*, Dedham, Essex, butcher: in the Gaol of Springfield.—*T. A. Coffin*, Catfield, Fareham, Hampshire, in no trade: in the Gaol of Winchester.—*J. Payne*, Litchurch, Derbyshire, livery-stable keeper: in the Gaol of Derby.—*John Young*, Ulverstone, Lancashire, licensed hawk: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 20 at 10, before Mr. Commissioner LAW.

Alfred Knott, Stoke next Guildford, Surrey, miller.—*Wm. Wise*, Grosvenor-street, Grosvenor-sq., Middlesex, tailor.—*Charles T. Cauty*, Alsop-terrace, New-road, Middlesex, clerk in the General Post-office, London.—*James Tinson*, Duke-street, Portland-place, Middlesex, livery-stable keeper.—*S. Vearey*, widow, Lambeth-walk, Surrey, out of business.

March 21 at 11, before the CHIEF COMMISSIONER.

John Pinner, Regent-place, Globe-road, Mile-end, Middlesex, undertaker.—*John Powell*, Leadenhall-market, City, licensed victualler.—*Richard Elmore*, Lahore-terrace, Middle-heath-lane, Croydon-common, Surrey, surveyor.

March 21 at 10, before Mr. Commissioner LAW.

Annie Cave, Charrington-street, near Oakley-sq., Camden-town, Middlesex, lodging-house keeper.

March 21 at 11, before Mr. Commissioner PHILLIPS.

Wm. H. Ayling, New Oxford-street, Middlesex, dentist.—*Charles Broadbridge*, Mornington-road, Regent's-park, Middlesex, architect.—*Andreas Kistler*, Romford, Essex, watch-maker.—*John Millen*, Patriot-square, Cambridge-heath-road, Middlesex, out of business.—*James Colledge*, Jewin-crescent, Jewin-st., London, ivory turner.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Staffordshire, at STAFFORD, March 18 at 10.

Job Jones, Darlaston, near Wednesbury, gun-lock filer.—*Samuel Wilkes*, Darlaston, near Wednesbury, pudler at an iron works.—*Mary Ann Wilkes*, spinster, Darlaston, near Wednesbury, maker and vendor of sweetmeats.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, March 23 at 10.

Clayton Craft, Kingston-upon-Hull, tailor.

At the County Court of Hampshire, at WINCHESTER, March 10.

Thomas A. Coffin, Catfield, Fareham, in no trade.—*Wm. Seaward*, Landport, Portsea, lieutenant in her Majesty's Royal Navy, on half-pay.

INSOLVENT DEBTORS' DIVIDENDS.

John Maskell, Aston-place, Holloway-road, Middlesex, attorney: 5d. in the pound.—*William Sampson*, deceased, Ilminster, Somersetshire, lieutenant in the Marines: 5½d. in the pound.—*Samuel Bromley*, deceased, Woodbridge, Suffolk, lieutenant in the Navy: 5d. in the pound.—*Martin Rawling*, Bridge-terrace, Old Brentford, Middlesex, superannuated clerk to the Honourable East India Company: 5s. in the pound.—*Grainger L. Towers*, Burwash, Sussex, clerk: 1s. 10½d. in

the pound.—*George Webster*, Belle Vue-villas, Choumert-place, Rye-lane, Peckham, Surrey, dealer in staff goods: 4s. 9d. in the pound.—*Farguher E. Reilly*, St. Ann's-road, Briston, Surrey, clerk to the Provident Institution: 2s. 11d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

John Latham, Chorley, Lancashire, attorney at law, Haydock & Son's, Preston, Lancashire: 11s. 2d. in the pound.—*Charles Wm. W. Brett*, Little Crossingham, Norfolk, farmer, Baley's, Watton, Norfolk: 5s. 2½d. in the pound.—*William Greenwood*, cotton spinner, Wavell's, Halifax: 1s. 11½d. in the pound.

FRIDAY, MARCH 8.

BANKRUPTS.

CHARLES CHRISTIE, Vauxhall-walk and Broad-street, Lambeth, Surrey, timber merchant, dealer and chapman, March 15 and April 19 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore: Sol. Barton, 4, Wolsingham-place, Lambeth.—Petition dated Feb. 18.

THOMAS LONG, Belgrave-st. South, Fimlico, Middlesex, picture dealer, dealer and chapman, March 20 at 1, and April 19 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Weymouth, Temple-chambers, Fleet-street.—Petition filed March 1.

EDWARD UNDERHILL, Radnor-cottage, Chelsea, Middlesex, builder, dealer and chapman, March 14 at 11, and April 19 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrence & Pews, Old Jewry-chambers, City.—Petition filed Feb. 26.

WILLIAM HENRY SWINTON, South-street, Finsbury, Middlesex, merchant, (trading under the style or firm of Swinton & Co.), March 22 and April 19 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Poddell, 142, Cheapside.—Petition filed March 1.

JAMES WIGG HICKLING, Mann's Wharf, Montague-close, Southwark, Surrey, wharfinger, dealer and chapman, March 16 and April 27 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Yetts, 5, Field-court, Gray's-inn.—Petition dated March 6.

ROBERT PARKER, Nottingham, commission agent, March 15 and April 19 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Campbell, Nottingham.—Petition dated Jan. 28.

JOHN BREARLEY, Sowerby-bridge, near Halifax, Yorkshire, timber merchant, dealer and chapman, March 22 and April 25 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Stocks, Halifax; Courtenay, Leeds.—Petition dated Feb. 25; filed Feb. 26.

ROBERT BROWN, Howden, Yorkshire, tailor and draper, dealer and chapman, March 20 and April 24 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Blackburn, Leeds.—Petition dated March 6.

CHARLES BURGIN, Hollis Croft Steel Works, Sheffield, Yorkshire, steel manufacturer, dealer and chapman, March 23 at 12, and April 27 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Saxelbye, Hull; Horsfall & Harrison, Leeds.—Petition dated Feb. 7; filed Feb. 8.

MEETINGS.

Wm. Lionel Felix Tollenache, Keston, and Lock's Bottom, Kent, and Penton Lodge, near Andover, Hampshire, horse dealer, March 20 at 11, Court of Bankruptcy, London, pr. d.—*Ralph Seddon*, Salford, Lancashire, dyer, March 22 at 12, District Court of Bankruptcy, Manchester, ch. ass.—*Sidney Strong*, Watling-st., London, cigar manufacturer, March 22 at 1, Court of Bankruptcy, London, and. ac.; April 5 at half-past 1, div.—*Charles Shackell*, Bristol, tailor, April 5 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Alexander Mitchell*, Cardiff, Glamorganshire, tea dealer, April 5 at 11, District Court of Bankruptcy, Bristol, and. ac.; April 8 at 11, div.—*Fred. Palmer*, Bristol, wine merchant, April 5 at 12, District Court of Bankruptcy, Bristol, and. ac.—*W. Pearson*, Maryport, Cumberland, ironfounder, April 9 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*J. Gilmere*, Hawthorn-grove, Durham, whiting manufacturer, April 9 at half-past 12, District Court

of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*John Bird*, North Shields, Northumberland, woollendrapier, April 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; April 11 at 11, div.—*Stephen Hey*, Colne, Lancashire, worsted manufacturer, March 22 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Augustus Mongredien*, Liverpool, merchant, March 27 at 11, District Court of Bankruptcy, Liverpool, and. ac.; April 8 at 11, div.—*Joseph Yates Ashton*, Liverpool, builder, March 26 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Benjamin Holmes*, Birmingham, shoemaker, March 20 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Elizabeth Harris Ryder*, Birmingham, jeweller, March 20 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*William Henderson*, Wolverhampton, Staffordshire, tin-plate manufacturer, March 26 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Wm. S. Fox*, Narborough, Leicestershire, miller, April 29 at half-past 10, District Court of Bankruptcy, Birmingham, and. ac.—*Thos. Herridge*, Upper Wharton-street, Clerkenwell, Middlesex, builder, April 4 at 12, Court of Bankruptcy, London, div.—*John Wm. Prior*, Newington-caneway, Surrey, silversmith, April 11 at 2, Court of Bankruptcy, London, div.—*Key Dinsdale*, Oxford-st., Middlesex, saddler, April 4 at 2, Court of Bankruptcy, London, div.—*Benjamin Rawlings*, Queen's-row, Fimlico, Middlesex, linendrapier, April 11 at 11, Court of Bankruptcy, London, div.—*Benjamin Thompson*, Derby, woollendrapier, April 5 at 11, District Court of Bankruptcy, Nottingham, and. ac.; April 12 at 11, fin. div.—*John George Briggs*, Leicester, innkeeper, April 12 at 10, District Court of Bankruptcy, Nottingham, and. ac.; April 19 at 11, div.—*John Courtney*, Bristol, banker, April 3 at 11, District Court of Bankruptcy, Bristol, fin. div.—*Alex. M. Paterson*, *John Walker*, *James Boydell*, and *Charles B. T. Roper*, Oak Farm Works, Kingswinkford, Staffordshire, ironfounders, April 15 at 11, District Court of Bankruptcy, Birmingham, div.—*David Lees*, Wednesbury, Staffordshire, coach-step manufacturer, March 25 at 11, District Court of Bankruptcy, Birmingham, last ex.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Key Dinsdale, Oxford-st., Middlesex, saddler, April 4 at 2, Court of Bankruptcy, London.—*Wm. Pearson*, Maryport, Cumberland, engineer, April 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Benj. Hewitt*, Barton-upon-Trent, Staffordshire, licensed victualler, April 6 at half-past 1, District Court of Bankruptcy, Birmingham.—*John C. North*, Stamford, Lincolnshire, coal dealer, April 5 at half-past 12, District Court of Bankruptcy, Nottingham.—*W. H. Malpas*, Nottingham, innkeeper, April 12 at 10, District Court of Bankruptcy, Nottingham.—*George E. Inger*, Nottingham, druggist, April 5 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

J. Jones, Knightsbridge-terrace, Knightsbridge, Middlesex, wine merchant.—*John Perry* the younger, High-street, Camberwell, Surrey, oilman.—*James Betts*, Winchester, Southampton, upholsterer.—*T. Hubert*, Great-hall, Hungerford-market, Hungerford-st., Strand, and High Holborn, Middlesex, lighterman.—*Howard Horsley*, Liverpool, warehouse keeper.—*Richard Verney*, Stow-on-the-Wold, Gloucestershire, cow-leech farrier.—*Wm. Woods* and *Samuel Thomas*, Champs-Élysées, London, wholesale hardwareman.—*Thomas Keasley*, Church-street, Blackfriars-road, Surrey, and Walsall, Staffordshire, tanner.—*Joseph Beaman*, Smethwick, Staffordshire, iron manufacturer.—*Thomas P. Collins*, Bristol, tailor.

PETITIONS ANNULLED.

W. Hale, Woolwich, Kent, rocket and shell manufacturer.—*Angus Nicholson*, Bowling, near Bradford, Yorkshire, builder.

SCOTCH SEQUESTRATIONS.

John McLean, Edinburgh, veterinary surgeon.—*Peter Wilson & Co.*, Hawick, woollen manufacturers.—*Isobel Irons*, widow, deceased, Dundee, fisher.—*Robert Clarke & Co.*, Glasgow, merchants.—*Alexander Waddell*, Glasgow, coalmaster.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Taylor, Golcar, Huddersfield, Yorkshire, cloth manu-

facturer, March 15 at 10, County Court of Yorkshire, at Huddersfield.—*Simon Jones*, Luton, Bedfordshire, watchmaker, March 27 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Thos. Gower*, Harpenden, Hertfordshire, baker, March 27 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Finner Phipps*, Margate, Kent, out of business, March 15 at 12, County Court of Kent, at Margate.—*Thomas Watts*, Buraley and Haborough Eaves, Lancashire, railway clerk, March 27 at 10, County Court of Lancashire, at Burnley.—*Henry Helmer Peters*, Bedminster, Bristol, merchant's clerk, April 17 at 11, County Court of Gloucestershire, at Bristol.—*Clara Crawford*, widow, Paxhill-park, near Lindfield, Sussex, in no trade, March 28 at 12, County Court of Sussex, at Cuckfield.—*William Iredale*, Bridlington, Yorkshire, out of business, March 26 at 10, County Court of Yorkshire, at Bridlington.—*Jacob Poole*, North Wing, Bradford, Yorkshire, collier, March 23 at 11, County Court of Yorkshire, at Bradford.—*Greenwood Bentley* the younger, Bradford, Yorkshire, law clerk, March 23 at 11, County Court of Yorkshire, at Bradford.—*John Williams*, Neath, Glamorganshire, mason, March 12 at 10, County Court of Glamorganshire, at Neath.—*Ann Rhodes*, Bradford, Yorkshire, milliner, March 23 at 11, County Court of Yorkshire, at Bradford.—*James Lee*, Knaresborough, Yorkshire, butcher, March 21 at 10, County Court of Yorkshire, at Knaresborough.—*James Christopher Richardson*, St. Alban's, Hertfordshire, upholsterer, March 27 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*James Mills*, Fockenhall, Worcestershire, out of business, March 14 at 9, County Court of Warwickshire, at Alcester.—*John Underhill*, Exeter, Devonshire, millwright, April 6 at 10, County Court of Devonshire, at Exeter.—*Bryan Doherty*, Bristol, labourer, April 24 at 11, County Court of Gloucestershire, at Bristol.—*John Ford*, Bristol, switchman on the Great Western Railway, April 17 at 11, County Court of Gloucestershire, at Bristol.—*John Searell*, Staverton, Devonshire, yeoman, March 21 at 11, County Court of Devonshire, at Totnes.—*George Frederick Budd*, Brighton, Sussex, servant, March 15 at 12, County Court of Sussex, at Brighton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 23 at 11, before Mr. Commissioner PHILLIPS.

Thomas Stredder, Clarence-place, Clapham-road, Surrey, cornchandler.—*Reuben Waits*, Acton-street, Gray's-inn-lane, Middlesex, out of business.—*William Lewis*, Farringdon-street, London, pastrycook.

March 25 at 11, before the CHIEF COMMISSIONER.

Thomas Baughan, Belmont-row, Nine Elms, Vauxhall, Lambeth, Surrey, baker.—*John Dobson*, Old Gravel-lane, St. George-street East, Middlesex, shipwright.—*George Knas*, Kent-street, Southwark, Surrey, wood turner.

March 25 at 10, before Mr. Commissioner LAW.

Thomas William Gillett, Garden-stairs, Greenwich, Kent, waterman.

March 25 at 11, before Mr. Commissioner PHILLIPS.

John Land, Cromer-street, Gray's-inn-road, Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 22 at 11, before Mr. Commissioner HARRIS.

Thomas Fisher the younger, Moor-street, Westminster, Middlesex, baker.—*John Allen*, Mary-street, Hoxton Old-town, Middlesex, out of business.—*William Wheatcroft* the younger, St. John-street, Clerkenwell, Middlesex, out of business.

March 23 at 11, before Mr. Commissioner PHILLIPS.

John Brownell, Little Earl-street, Seven-dials, Middlesex, tripe-man.

March 25 at 10, before Mr. Commissioner LAW.

James Kite, Wilton-terrace, New North-road, Hoxton, Middlesex, coal merchant.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Monmouthshire, at MONMOUTH, April 12 at 11.

David Davies, Balnavon Iron-works, haulier.

At the County Court of Sussex, at LEWES, March 26.

Thomas Cotton, Lewes, milliner.—*James Mason*, Albourne, near Hurstperpoint, out of business.—*John Thos. Phillips*, Warner-road, Camberwell, Surrey, commercial traveller.

At the County Court of Yorkshire, at YORK CASTLE, March 23 at 10.

Alexander Patrick, Leeds, rope spinner.—*Walter Lows*, Huddersfield, pawnbroker's assistant.—*Richard Pitt*, Dewsbury, stonemason.—*Charles Miller*, Richmond, auctioneer.—*James D. Green*, Leeds, out of business.—*Thomas Clarkson*, Leeds, out of business.—*George Kent*, Melbourn, near York, grocer.—*Henry K. Beaumont*, Huddersfield, accountant.—*David Jackson*, York, attorney.—*Robert Waddington*, Beaton, near Tadcaster, shopkeeper.—*Joseph Fowdall*, Snape, near Bedale, carrier.—*John Bays*, Pudsey, near Leeds, out of business.—*Thomas Rickinson*, Hull, cattle dealer.—*Thomas Davidson*, Stainton, near Stokesley, commercial traveller.—*Samuel Brooke*, Owllet Hirst, Liversedge, near Heckmond-wike, farmer.—*Matthew Walker*, Yenden, near Leeds, dealer in herrings.—*Joseph Wadsworth*, Wakefield, maltster.

At the County Court of Cumberland, at CARLISLE, March 26 at 10.

George Miller, Wigton, tailor.

At the County Court of Carmarthenshire, at CARMARTHEN, March 26 at 2.

The Rev. John Richards, Cwmlithrydd, Llangendcirne, clerk.—*David Pugh*, Caecoria, Llanedy, timber merchant.—*William Roberts*, Llandibio, shopkeeper.—*Thomas Howells*, Llwyndrissy, Llangan, farmer.—*David Morris*, Caerlump, Pembrey, butcher.

INSOLVENT DEBTORS' DIVIDENDS.

The Rev. Charles Wetherell, Eaton-place, Belgrave-square, Middlesex, clerk: 20s. in the pound.—*Christopher Rawlings*, Suffolk-street, Lower-road, Islington, Middlesex, builder: 8½d. in the pound.—*Charles Boulbee*, Kirdford, Sussex, clerk: 3s. 2½d. in the pound.—*R. Douglas*, Clay-gate, near Esher, Surrey, colonel in the Army: 8½d. in the pound.—*Fred. D. Radford*, Hampton, Middlesex, lieutenant in the Army: 1½d. in the pound.

Apply to the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 2.

Stephen Baldock, Ipswich, miller, March 9, at Lawrence's, Ipswich: 1s. 9½d. in the pound.

MEETINGS.

Mary Rhodes, widow, Rough Lee, near Colne, Lancashire, March 26 at 11, Hall & Baldwin's, Clitheroe, sp. aff.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—*Charles Dixon*, of Brecon; *Charles Davies* the younger, of Southampton; and *Robert Anglim*, of the city of Limerick, Ireland; *Robert William Bone*, of Devonport; *John Cooper*, of Manchester; *John Francis Burton*, of Lincoln.

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The Jurist

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* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

House of Lords	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Queen's Bench { G. J. P. SMITH, Esq. of the Inner Temple; and W. B. BRETT, Esq. of Lincoln's Inn, Barristers at Law.	
Privy Council	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	Queen's Bench Bail Court { H. PELLY HINDE, Esq. of the Inner Temple, Barrister at Law.	
The Lord Chancellor's Court	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Common Pleas, including Appeals under Registration of Voters Act.... { W. PATERSON, Esq. of Gray's Inn; and J. R. BULWER, Esq. of the Inner Temple, Barristers at Law.	
Master of the Rolls Court {	G. Y. ROBSON, Esq. of the Inner Temple, Barrister at Law.	Court of Exchequer { W. M. BEST, Esq. of Gray's Inn, Barrister at Law.	
Vice-Chancellor of England's Court	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	Ecclesiastical and Admiralty Courts	{ J. P. DEANE, D.C.L. of Doctors' Commons.
Vice-Chancellor Knight Bruce's Court.....	{ W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.	Cases in Bankruptcy....	{ W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Crown Cases Reserved..	{ ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, MARCH 16, 1850.

THE recent decision of *Gorham's case*, in the Judicial Committee of the Privy Council, appears to have given tolerably general satisfaction—a circumstance arising out of this, that, upon the doctrinal question so much discussed in it, it does not in effect, nor does it profess to give, any positive opinion. All that it does is—not professing to say either what is or what is not the doctrine of the Church of England—to say that Mr. Gorham's doctrine is not so clearly out of the pale of the Church's doctrine as to render him unfit to be charged with a cure of souls. The judgment, in reality, proceeds upon the legal effect of usage, founding the right of Mr. Gorham to institution upon the circumstance, that, it being shewn that his doctrine has been publicly held for a lengthened period by numerous Churchmen of distinguished reputation, who, while holding such doctrine, have also held clerical preferment without challenge, it must be taken to be established, that, whether such doctrine is the precise doctrine of the Church or not, usage has conferred upon it a legal immunity, so that it shall not affect its holders with clerical incapacity.

The anxious care with which the Judicial Committee has avoided deciding the doctrinal question, has added to the impression previously existing, to some extent, in the public mind, that there is something strange in the notion of an exclusively lay tribunal deciding, even incidentally, upon questions of religious doctrine. For it has been thought, that the evasion of the religious question by the Judicial Committee may have proceeded from a consciousness in that tribunal of its unfitness for the investigation of the question.

We confess ourselves unable to understand on what

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grounds the suggestion, that it is improper for a lay tribunal to deal with such cases as *Gorham's case*, can be supported; for in that case the question was not one simply of doctrine. It was a case in which were involved the rights of property, as well of the patron of the living as of his presentee; the former of whom was clearly entitled to present, and the latter to be instituted, without which he could not proceed to the possession of the temporalities of his office, unless clerical unfitness or some other lawful impediment could be shewn.

To contend, therefore, that, in such a case, it would be unfit that lay judges should exercise jurisdiction, uncontrolled by ecclesiastical persons having judicial authority, would be to contend, that, to some extent, the rights of property of the Queen's subjects ought to be submitted to the decision of the Church—a doctrine which, we apprehend, few would venture in terms to propound.

It is true, that, in deciding upon the civil right of the party in such cases as that referred to, it is requisite for the Judicial Committee to inquire, and it may be necessary for it to express a distinct opinion upon, what the doctrine of the Church is; but, in doing that, the Judicial Committee would neither in point of form nor in substance *decide* the question of doctrine. It would ascertain as a *fact*, to the best of its ability, and by the aid of learned witnesses, the doctrine of the Church, just as it would, in dealing with civil rights depending on a question of foreign law, ascertain the foreign law as a *fact*; but it would no more in the one case *decide* the question of doctrine, than it would in the other the question of foreign law. The only question on which its decision would be binding, as law, would be the particular question of civil right before it. As to the question



of doctrine, its opinion would be of no authority, and would not pretend to be authority; it would be the finding of a given fact at a given time, and would neither be, nor pretend to be, anything more. The rights and interests, then, of the Church cannot be, in principle, at all injured by such questions being dealt with by lay tribunals; nor is it likely that they should be injured in practice, seeing that lay tribunals will necessarily decide such questions upon consultation and advice of those learned in spiritual matters.

But whatever may be the soundness or unsoundness of the idea, that lay tribunals ought not to decide upon questions of Church doctrine, it is, at any rate, quite a new idea, wholly repugnant to the common law of the country, the Courts of law having had jurisdiction in such matters for time out of mind; since it has always been the law, that if the patron of a living presents, and the bishop refuses his presentee, the patron might bring an action against the bishop; and if the reason alleged for refusal were heresy, the fact would be tried by a jury; and if the fact were proved, and the sufficiency of it disputed, the Court of law would decide upon the sufficiency. This point is so clear that we should not trouble our learned readers with a reference to any authority; but, as the nature of the subject may cause these observations to be read by the unlearned, we will refer them to 1 Bl. Com. c. 11, p. 389, and the authority there cited, viz. 2 Coke's Inst. 632, in which, if they will take the trouble to examine it, they will find the law to be as we have stated it.

Reviews.

Suggestions for a Reform of Special Pleading. By THOMAS JONES, Esq., Barrister at Law.

[Benning & Co. 1850.]

A Letter to Sir John Jervis on Special Pleading. By WILLIAM CORRIE, Esq., Barrister at Law.

[Benning & Co. 1850.]

Proctors, or Pleadors? A Letter to the Attorney-General; with practical Suggestions for the Amendment of Special Pleading. By HENRY BULLAR, Esq., of Lincoln's-inn, Special Pleader. [Benning & Co. 1850.]

The administration of justice consists in applying rules of law to a given state of facts brought before a legal tribunal for its decision. It is obvious that such facts should be presented in an intelligible and certain form, so that the contending parties, aware of the case which they are called upon to meet, may shape their evidence accordingly, and that the Court may be informed of the questions of fact and of law which it is their duty to determine. A desire for the attainment of these objects has led to the formation of the science called Special Pleading—a science which, moulded by the wisdom, and sometimes the folly, of successive ages, has undergone the transitions common to human institutions; at first simple and homely; then refined, complicated, and in some respects cumbersome; now reformed, now altered without being reformed, now praised, now censured.

With all its imperfections, special pleading is allowed, by those most intimately acquainted with its operation, to be a valuable invention, having its special uses, and deserving amendment rather than destruction. There is, however, a strong and growing opinion, not only among the public, but also among the legal profession, and

one in which we fully concur, that such amendment is required in order to prevent the sacrifice of substance to form, and of the merits of a case to its technicalities.

This is a notion of ancient date, and entertained by men of high authority. "When I diligently consider," says Sir Edward Coke, "the course of our books of years and terms from the beginning of the reign of Edward III, I observe that more jangling and questions grow upon the matter of pleading and exceptions to form than upon the matter itself, and infinite causes lost or delayed for want of good pleading." (Co. Litt. 303. a.)* Sir Matthew Hale considered, that in the time of Edward IV the judges and pleaders had already become "somewhat too curious," and that the science of special pleading had degenerated from its primitive simplicity†; "which," he adds, "how these later times have improved, the length of the pleadings, the many and unnecessary repetitions, the many miscarriages of causes upon small and trivial niceties in pleading, have too much witnessed." (Hist. C. L. 173, 176). The late John William Smith thought the excessive technicality of special pleading a serious evil, and a great obstacle to the proper administration of justice. That the errors for which a party cannot be responsible, and which are totally beside the real merit of his case, should decide upon his success or failure, substantially from the expense of amendment in almost all cases, and actually in a great many, appeared to him inconsistent with the increasing exigencies of the age, and the general progress of society. (See his memoir in 6 Law Mag., N.S.) Even Mr. Serjt. Stephen, after an able exposition of the advantages attending our system, adds, "The excessive subtlety and needless precision by which some parts of it are characterized often expose suitors to the necessity of expensive amendments, and sometimes occasion an absolute failure of justice upon points of mere form." (Principles of Pleading, 484).

There is no doubt that these evils have been increased rather than diminished in modern times, by the new rules restricting the use of several counts and pleas, and requiring the defence to be expanded on the record,

* The following will give a specimen of the technical strictness required in criminal pleading as far back as the reign of Edward I:—"In an appeal of murder, temp. 3 & 4 Edw. 1, the indictment set forth the abutments of the place where the man was murdered, and alleged that the prisoner 'came feloniously, as a felon of our lord the Earl of Chester, against the peace of our lord the earl, and the dignity of his sword, and shot with a certain bow, cord, and arrow, &c.; that the wood of the arrow was of the length of twenty-four inches of a man, and the fledge was feathered with the feather of a goose, sewn up and bound with thread and silk of the value of one farthing,' &c. The prisoner, having stood mute twice, and having been sentenced to peine forte et dure, at length excepted to the indictment, that David, the prosecutor, had not mentioned the *bigness of the fledge, nor the colour of the feathers thereof*. 'Therefore it is considered that the aforesaid John go quit, and the same David, for false appeal, be committed to prison.' (See the interesting lecture lately delivered at Chester by W. H. Black, Esq., Assistant Keeper of the Records, reported in the Journal of the British Archaeological Association for October, 1849, p. 187).

† We have a specimen of this simplicity during the eleventh century, in the Assizes de Jerusalem, c. 27:—"Qui a conseil et se veut clamer d'ome ou de feme, qui est present en la Court, il doit faire dire par son conseil au seigneur, si que celui de qui il se clame ou veant clamer, l'oye, Sire tel se clame a vous de tel chose et en veant avoir droit par vous et par la Court; et le nome, et die de quoi il se clame, et as plus briefes paroles qui il pora, face son clame." And in the juridical system of the Germans during the middle ages we are informed—"Aderant in iudicio advocati, qui causas litigantium nuda simplici oratione, sine ullo verborum circuito, tractare jubebantur." (Hachenberg. Germ. Med. 97; Stephen on Pleading, Appendix, xiv, xvi).

whereby it is rendered more vulnerable to the pleader's attack. We consider these rules to be beneficial in their general operation, but they would be of much greater service if formal objections were less fatal, and if the judges were more liberal in the exercise of their powers of amendment at *Nisi Prius*.

The three pamphlets placed at the head of this article are indicative of the professional feeling in favour of rendering pleadings less technical, and as such we give them welcome. Mr. Corrie appears to us to be too sweeping in the changes he would propose, and his pamphlet bears evident marks of haste and carelessness, both in its statements and suggestions. Thus he tells us, "that it is a ground for arresting judgment if general 'damages are given on a declaration containing good 'and bad counts,' (p. 8); but only a *venire de novo* would be granted, unless there was a misjoinder of counts. In another place he speaks of the plaintiff being nonsuited because "for that" has been used instead of "for that whereas," which, in fact, is no objection whatever, even on special demurrer; and if "for that whereas" be used instead of "for that," it can be taken advantage of only by special demurrer, and not as a ground of nonsuit. The pamphlet by Mr. Jones seems to have been much better considered; it is an able and temperate exposition of the evils attending the present system, and of the advantages which would accrue from his proposed alterations. Mr. Bullar's letter is a clever and forcible answer to Mr. Corrie, shewing that that gentleman has carried his theory too far, but at the same time offering practical suggestions for reform where it is most needed, and may be most advantageously effected. Mr. Jones's and Mr. Bullar's pamphlets are directed against the abuses, that by Mr. Corrie against even the uses, of special pleading. The first-named author would abolish special demurrers; the second would diminish the temptation to resort to them. Mr. Corrie says, "I have plans to suggest which 'involve a destruction and cutting up of the whole system, root and branch; no mere lopping off the excrescences,' (p. 22). His plan is, that an officer of the Court should settle the issue between the parties—a proposal to which numerous objections may be suggested: for instance, its adoption would cause the judgment to be arrested or reversed for defects, which might be and often are pointed out at an earlier stage by a general demurrer; and we think that there is much advantage in leaving the parties to settle the issues for themselves. Mr. Bullar's pamphlet triumphantly answers this proposition.

We have long been of opinion that special demurrers should be altogether abolished, but we think that some substitute should be adopted for the sake of form, certainty, and brevity in pleadings. The cheapest and most expeditious course would probably be to extend the practice which now prevails, under the 3 & 4 Will. 4, c. 42, s. 11, with regard to misnomers, to other formal defects, and to require a summons to be taken out within a certain time (say two days) for the amendment of the pleading, at the costs of the other party, which costs might be in the discretion of the judge. We think also it would be advisable to insist upon even substantial objections being taken by general demurrer in those stages of the pleadings where they occur, (leave being always given, after argument, to amend on payment of costs), and thus motions in arrest of judgment, for judgment non obstante veredicto, and in many cases writs of error, would be prevented. It would appear, also, only to be just to allow the plaintiff, if he have several answers to one plea, to avail himself of them by several replications, instead of confining him, as at present, to one replication to one plea. A more liberal use of the replication de injuriâ would probably be beneficial. Such remedies as these, which might be easily effected by a rule of all the common law courts, would,

we believe, save the great delay, expense, and injustice now fairly charged upon special pleading, or rather its abuses, and would at the same time preserve much of that formal accuracy which is essential to every science.

The Legislature of the State of New York have set us an example in this matter, by having lately abolished all forms of actions but one, and requiring the pleadings therein to be in ordinary and concise language, without repetition, and in such a manner as to enable a person of common understanding to know what is intended. Special demurrers are disallowed, and general replications are permitted. (See 13 Jur., part 2, p. 225).

By recent intelligence from India, we learn that the Supreme Court of Calcutta has materially simplified pleading, and reduced the number of actions to four*.

If justice were rendered as cheap, as expeditious, and as certain as it might be, by substantial reforms in the procedure of our Courts, we feel assured that its administration would be much more safely and advantageously intrusted to our superior jurisdictions (at all events in cases involving an amount beyond 20*l.*) than to the numerous tribunals with which we are threatened throughout the country.

London Gazette.

TUESDAY, MARCH 12.

BANKRUPTS.

GEORGE FREDERICK GARDENER, Rayleigh, Essex, grocer, dealer and chapman, March 21 at 12, and April 26 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Chidley, 1, Guildhall-chambers, Basinghall-street.—Petition dated March 9.

THOMAS WILLIAMS, Epsom, Surrey, draper, March 22 at 12, and April 23 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Sole & Turner, Aldermanbury.—Petition filed March 8.

SAMUEL PARKHOUSE, Cambridge, maker and vendor of medicines for horses and cattle, dealer and chapman, March 22 at 1, and April 16 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Stretton, 18, Southampton-buildings, Chancery-lane.—Petition filed March 5.

WILLIAM SMYTHEMAN, Rugeley, Staffordshire, builder, dealer and chapman, March 20 and April 19 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Salt, Rugeley; Motteram & Co., Birmingham.—Petition dated Feb. 25.

JAMES HARDCASTLE, Manchester, tavern keeper, dealer and chapman, March 25 at 12, and April 17 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Chapman & Roberts, Manchester.—Petition dated March 6.

JAMES SIMPSON HOLMES, Liverpool, merchant, (carrying on business under the style or firm of Holmes & Co.), March 27 and April 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Fletcher & Hull, Liverpool.—Petition dated March 9.

MEETINGS.

Geo. P. Hutchinson, Crawford-street, Marylebone, Middlesex, grocer, March 23 at 1, Court of Bankruptcy, London, last ex.—Samuel Savage Woollatt, Holborn-hill, London, draper, March 26 at 2, Court of Bankruptcy, London, last ex.—Jas. Hinzman, Bury, Lancashire, apothecary, March 18 at 12, District Court of Bankruptcy, Manchester, last ex.—Samuel Rodgett, Blackburn, Lancashire, ironfounder, March 25 at 12, District Court of Bankruptcy, Manchester, last ex.—Robert Gibbs, Birmingham, and Dog-pool-farm, Northfield, Worcestershire, corn dealer, March 18 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—William Dewhirst, Huddersfield, Yorkshire, printer, March 25 at 11, District Court of Bankruptcy, Leeds, aud. ac.—John Muckleston the younger, Shrewsbury, Shropshire, grocer, April 4 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.

* See the Times for Jan. 5 and Feb. 25, 1850.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

William Richard Barnard, Midhurst, Sussex, upholsterer, April 12 at half-past 11, Court of Bankruptcy, London.—*Jas. Davies*, Bromley, Middlesex, builder, April 6 at 1, Court of Bankruptcy, London.—*Johann Christian Bremer*, Mark-lane, London, merchant, April 6 at half-past 12, Court of Bankruptcy, London.—*John Muckleston* the younger, Shrewsbury, Shropshire, grocer, April 4 at 12, District Court of Bankruptcy, Birmingham.—*Samuel Wilson*, West Bromwich, Staffordshire, draper, March 25 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Henry Bridges, Oxford-street, Middlesex, cabinet maker.—*Donald Grant*, Southampton-st., Strand, Middlesex, manufacturer of the patent ventilating gas-light and heating apparatus.—*James Richard Baskett*, Newcastle-upon-Tyne, corn merchant.—*Thomas Ashworth*, Liverpool, merchant.—*Wm. L. Bowyer*, Macclesfield, Cheshire, grocer.—*Charles Dugard Makepeace* and *Robert Strong*, Birmingham, screw manufacturers.—*Daniel Haigh*, Linthwaite, Almondbury, and *Joseph Haigh*, Slaithwaite, Huddersfield, Yorkshire, cloth manufacturers.

PARTNERSHIP DISSOLVED.

Walter Lloyd and Wm. Jones, Carmarthen, attorneys, solicitors, and conveyancers.

SCOTCH SEQUESTRATIONS.

Dugald M'Intyre & Co., Glasgow, commission merchants, and *Duncan M'Intyre*, Glasgow, commission merchant.—*Robert Peat*, Arbroath, merchant.—*James Weir*, Boreland Mains, Cumnock, Ayrshire, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Smith, Wolverhampton, Staffordshire, fruiterer, March 25 at 12, County Court of Staffordshire, at Wolverhampton.—*Edward Phillips*, Silverstone, near Towcester, Northamptonshire, tea and coffee dealer, April 6 at 12, County Court of Northamptonshire, at Towcester.—*Abraham Dale*, Cheltenham, Gloucestershire, seedsman, April 16 at 10, County Court of Gloucestershire, at Cheltenham.—*Henry Haken*, Southwold, Suffolk, saddler, March 20 at 2, County Court of Suffolk, at Halesworth.—*John Courtail*, Dudley Port, Tipton, Staffordshire, schoolmaster, March 26 at 3, County Court of Worcestershire, at Dudley.—*Henry Pragnell*, Warrington, Lancashire, out of business, April 4 at 10, County Court of Lancashire, at Warrington.—*Matthew Morris*, Gloucester, farmer, April 8 at 10, County Court of Gloucestershire, at Gloucester.—*Hugh Jones*, Liverpool, shoemaker, March 18 at 10, Liverpool District County Court, at Liverpool.—*M. Hodgson*, Everton, near Liverpool, milliner, March 18 at 10, Liverpool District County Court, at Liverpool.—*William Harrison*, Liverpool, plasterer, March 18 at 10, Liverpool District County Court, at Liverpool.—*George Knowles*, Crumpsall, Manchester, brassfounder, March 22 at 1, County Court of Lancashire, at Manchester.—*David Henry*, Shudehill, Manchester, hat manufacturer, March 22 at 1, County Court of Lancashire, at Manchester.—*Wm. Culley* the elder, Gedling, Nottinghamshire, servant in husbandry, April 5 at 9, County Court of Nottinghamshire, at Nottingham.—*Alexander Hunter*, Ramsgate, Kent, shoemaker, March 16 at 10, County Court of Kent, at Ramsgate.—*Charles Dearman*, Goole, Yorkshire, shoemaker, April 9 at 11, County Court of Yorkshire, at Goole.—*E. Garbett*, Dawley, Shropshire, attorney at law and solicitor, April 13 at 10, County Court of Shropshire, at Madeley.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 26 at 11, before the CHIEF COMMISSIONER.
George Knight, Fulham, Middlesex, gardener.

March 26 at 11, before Mr. Commissioner HARRIS.

James South, Great Cambridge-street, Hackney-road, Middlesex, out of business.—*Joseph Hartley*, Peel-street, Notting-hill, Middlesex, tailor.—*George Glayshor*, Cambridge-road, Hammersmith, smith.—*Augustin Durrant*, Montpellier-row, Montpellier-square, Brompton, Middlesex, coach builder.

March 26 at 10, before Mr. Commissioner LAW.

Samuel Richardson the younger, Broad-street, Ratcliffe, Middlesex, out of business.

March 26 at 11, before Mr. Commissioner PHILLIPS.

Charles Henry Baker, Edward-street, Hampstead-road, Middlesex, clerk to a stationer.—*Samuel Gurnell*, Newman-passage, Charlotte-street, Fitzroy-square, Marylebone, Middlesex, carman.

Saturday, March 9.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

William Daniels, Hulme, Manchester, painter, No. 71,993 C.; *Reuben Sutcliffe*, assignee.—*Thomas Barraclough*, Holbeck, near Leeds, Yorkshire, cloth merchant, No. 72,068 C.; *Robert Wood* the younger, assignee.

Saturday, March 9.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Isaac Levy, Chatham, Kent, clothes salesman: in the Debtors Prison for London and Middlesex.—*Angelo Bennett*, Gloucester-crescent, Regent's-park, Middlesex, shorthand-writer: in the Debtors Prison for London and Middlesex.—*Thomas Lindsey Green*, Rose-street, Newgate-market, Newgate-street, London, butcher: in the Debtors Prison for London and Middlesex.—*John Remment Searl*, Church-street, Camberwell, Surrey, carpenter: in the Queen's Prison.—*William Henry Watton*, Greyhound-yard, Dulwich, Surrey, omnibus proprietor: in the Queen's Prison.—*Robert Henry Wright*, Upper Fountain-place, City-road, Middlesex, schoolmaster: in the Debtors Prison for London and Middlesex.—*Peter de Caux*, North-street, Whitechapel-road, Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*Thomas Sutton*, Pond-place, Fulham-road, Chelsea, Middlesex, printer: in the Debtors Prison for London and Middlesex.—*John Kirby*, Villiers-street, Strand, and Greek-street, Soho, Middlesex, ale merchant: in the Debtors Prison for London and Middlesex.—*Charles Morris*, Pratt-street, Camden-town, Middlesex, artist: in the Queen's Prison.—*William Richard Edwards*, Surrey-cottage, John-street, Hampstead, Middlesex, clerk in the General Register-office, Somerset-house: in the Debtors Prison for London and Middlesex.—*Thomas Macauley Richey*, Evershott-street, Oakley-square, Camden-town, Middlesex, draper: in the Debtors Prison for London and Middlesex.—*John Sheppard*, Crosskey-square, Little Britain, Aldersgate-street, London, bill discounting agent: in the Debtors Prison for London and Middlesex.—*Franz John Barnard*, St. Mary Axe, London, clockmaker: in the Debtors Prison for London and Middlesex.—*Felix Thomas Smith Berry*, Strand, Middlesex, pastrycook: in the Debtors Prison for London and Middlesex.—*James Seggie*, Golden-lane, Barbican, London, mouldmaker: in the Debtors Prison for London and Middlesex.—*Richard Gravell*, Brydges-street, Covent-garden, Middlesex, printer: in the Gaol of Surrey.—*Henry Webber* the younger, New Adelphi-chambers, corner of Robert-street, and John-street, Adelphi, Middlesex, wine merchant: in the Queen's Prison.—*John Orton*, Windy Nook, Gateshead Fell, Durham, victualler: in the Gaol of Newcastle-upon-Tyne.—*Robt. Sutcliffe*, Clough Foot, Dulesgate, near Todmorden, Lancashire, schoolmaster: in the Gaol of Lancaster.—*Thomas Richards*, Long Sutton, near Longport, Somersetshire, licensed victualler: in the Gaol of Wilton.—*Humphery Tompkins*, Folly Farm, Tring, Hertfordshire, farmer: in the Gaol of Hertford.—*John Thomas Phillips*, Warner-road, Camberwell, Surrey, commercial traveller: in the Gaol of Lewes.—*John Tomlinson*, Radford, Nottinghamshire, linendraper: in the Gaol of Nottingham.—*Wm. Jackson Hobson*, Longsight, near Manchester, grocer: in the Gaol of Lancaster.—*Thomas Naylor*, Mayday-green, Barnsley, Yorkshire, innkeeper: in the Gaol of York.—*John*

Pritchard, Tortexth-park, Liverpool, licensed victualler: in the Gaol of Lancaster.—*John Rhodes* the elder, Newton-leath, Manchester, dealer in woollen cloth: in the Gaol of Lancaster.—*John Wilkinson*, Liverpool, fruiterer: in the Gaol of Lancaster.—*Wm. Whitworth*, New-market, Rochdale, Lancashire, fishmonger: in the Gaol of Lancaster.—*Emanuel Arnett*, North Shields, Northumberland, mason: in the Gaol of Morpeth.—*John Stevens*, Smarden, Kent, land surveyor: in the Gaol of Maidstone.—*John Hipperson*, Carleton Rode, Norfolk, farmer: in the Gaol of Norwich.—*George Millner*, Crookhall, East Beach, Lytham, Lancashire, schoolmaster: in the Gaol of Lancaster.—*Jos. Pharris*, Gedney-hill, near Holbeach, Lincolnshire, farmer: in the Gaol of Lincoln.—*Ratcliff Whitehead*, Manchester, carpenter: in the Gaol of Lancaster.—*Richard Rushton*, Garston, near Liverpool, farmer: in the Gaol of Lancaster.—*J. Heywood*, Feniscowles, near Blackburn, Lancashire, quarryman: in the Gaol of Lancaster.

(On Creditors' Petitions).

John Valentine Woolfit, Lincoln, coachbuilder: in the Gaol of Lincoln.—*Randall Foulkes*, Rhuddlan, Flintshire, mariner: in the Gaol of Flint.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 19 at 11, before Mr. Commissioner HARRIS.

Marmaduke Drake, Sweedland-court, Bishopgate-street Within, London, out of business.

March 26 at 10, before Mr. Commissioner LAW.

Josiah Henry Cohen, Lower-marsh, Lambeth, Surrey, shopman to an earthenware dealer.

The following Prisoner is ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Nottinghamshire, at NOTTINGHAM, April 5.

John Tomlinson, Radford, out of business.

FRIDAY, MARCH 15.

BANKRUPTS.

JOHN M'GUFFIE, New-road, Whitechapel, Middlesex, draper, dealer and chapman, March 26 at 1, and April 26 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Reed & Co., 59, Friday-street, Cheapside.—Petition dated March 7.

GEORGE PALMER, Langmere, Norfolk, cattle dealer, dealer and chapman, March 27 and April 26 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Jerwood, Ely-place, Holborn.—Petition filed March 14.

BENJAMIN SMITH, Threadneedle-street, London, and Bow-common, Middlesex, copper smelter, and Duke-street, Lincoln's-inn-fields, Middlesex, silversmith, March 25 and May 2 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Crowder & Maynard, 57, Coleman-street.—Petition dated March 11.

JAMES HARBRIDGE, Islip, Oxfordshire, miller, March 23 at half-past 1, and April 27 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Druce, Oxford; Berry, 36, Southampton-buildings, London.—Petition dated March 14.

MATTHEW BATTEN, Kintbury, Berkshire, sheep dealer, dealer and chapman, March 26 at half-past 12, and April 25 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Parker, St. Paul's-churchyard.—Petition dated March 13.

THOMAS GARRETT, Stowmarket, Suffolk, coachmaker and currier, dealer and chapman, March 28 at half-past 12, and April 25 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Galsworthy, Ipswich.—Petition dated March 11.

PETER FIELDING, Rhyll, Flintshire, hotel keeper, dealer and chapman, March 22 and May 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Evans & Son, Liverpool.—Petition dated and filed March 12.

SAMUEL FIRTH, Leeds, Yorkshire, linendraper, dealer and chapman, March 26 and April 16 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Middleton, Leeds.—Petition dated March 13.

MEETINGS.

Thomas Hamlet, Princes-street, Leicester-square, Middlesex, goldsmith, April 9 at half-past 12, Court of Bankruptcy, London, pr. d.—*Griffith Evans*, Mass-y-Pandy, Talyllan, Merionethshire, cattle dealer, April 4 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*David James*, Cardigan, licensed victualler, March 27 at 11, District Court of Bankruptcy, Bristol, sp. aff.—*Valentine Rimell*, Hammersmith, Middlesex, timber merchant, March 26 at 1, Court of Bankruptcy, London, last ex.—*Thomas Marshall*, Hatfield-street, Christchurch, Surrey, licensed victualler, April 4 at half-past 11, Court of Bankruptcy, London, last ex.—*William Shaw* and *Samuel Shaw*, Upper Mill and Grasscroft, both within Saddleworth, Yorkshire, timber merchants, March 26 at 12, District Court of Bankruptcy, Manchester, last ex.—*Johann Christian Bremer*, Mark-lane, London, merchant, April 6 at half-past 12, Court of Bankruptcy, London, aud. ac.—*John Webster*, Southgate, Middlesex, dealer in mining shares, April 12 at 11, Court of Bankruptcy, London, aud. ac.—*Charles Wood*, Ditcheling, Sussex, butcher, April 9 at 12, Court of Bankruptcy, London, aud. ac.—*Chas. Slade*, Grench-next-Gillingham, Kent, market gardener, April 8 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Phillips*, Drynamaw, Breconshire, draper, April 12 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Richardson* the younger and *Wm. Thompson*, Liverpool, sharebrokers, March 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of *John Richardson*; March 27 at 11, aud. ac. joint est.—*Robert Makin* the elder, *Robert Makin* the younger, and *Wm. Makin*, Liverpool, corn merchants, March 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Saml. P. Ward*, Liverpool, common brewer, March 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. Green*, Liverpool, wine merchant, March 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; April 8 at 11, div.—*Wm. Norris*, Liverpool, ironfounder, March 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry Green*, Liverpool, ironmonger, March 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; April 8 at 11, div.—*Harriet Roberts*, Chirk, Denbighshire, draper, March 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Burgess*, Liverpool, merchant, April 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; April 19 at 11, div.—*James Coomber*, Walton-on-Thames, Surrey, licensed victualler, April 9 at 11, Court of Bankruptcy, London, div.—*James Redward*, Portsea, Southampton, fishmonger, April 13 at half-past 11, Court of Bankruptcy, London, div.—*Henry Cleeve*, Edgeware-road, Marylebone, Middlesex, cowkeeper, April 6 at 1, Court of Bankruptcy, London, div.—*Richard Stapleton* and *William Thorn*, Whitefriars, London, Paddington and Battlebridge, Middlesex, and Surrey-wharf, Upper Ground-street, Blackfriars, Surrey, scavengers, April 6 at 12, Court of Bankruptcy, London, div.—*Noah Pattenden*, Oxford, woollen draper, April 8 at half-past 12, Court of Bankruptcy, London, div.—*John Davenport*, Little Love-lane, London, wholesale hosier, April 12 at 1, Court of Bankruptcy, London, div.—*George Ainger*, Green-street, Grosvenor-sq., Middlesex, hotel keeper, April 12 at 11, Court of Bankruptcy, London, div.—*J. R. Fisher*, Regent-street, Middlesex, chinaman, April 12 at 2, Court of Bankruptcy, London, div.—*John D. Hinman*, Harley-st., Cavendish-square, Middlesex, wine merchant, April 16 at 12, Court of Bankruptcy, London, div.—*James Bowler*, Crescent, Southwark-bridge-road, Southwark, Surrey, hat manufacturer, April 11 at 11, Court of Bankruptcy, London, div.—*James Hunter*, King William-street, London, and Buckingham-street, Strand, Middlesex, merchant, April 16 at 12, Court of Bankruptcy, London, div.—*Abraham Daniels*, Alexander-square, Brompton, Middlesex, merchant, April 12 at 1, Court of Bankruptcy, London, div.—*Joseph Harvey*, King William-street, London, lamp manufacturer, April 16 at 1, Court of Bankruptcy, London, div.—*John Morgan* the elder and *John Morgan* the younger, Hereford, and Glasbury, Radnorshire, woolstaplers, March 30 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.; April 6 at 1, div. sep. est. of *John Morgan* the younger; April 15 at 11, aud. ac.; April 20 at half-past 1, div. joint est.—*William Cox Buchanan*, Dursley, Gloucestershire, money scrivener, April 12 at 11, District Court of Bankruptcy, Bristol, div.—*James Warren*, Bristol, merchant, April 15 at 11, District Court of Bankruptcy, Bristol, div.—*Richard Machell*, Liverpool, merchant, April 12 at 11, District Court of Bank-

ruptcy, Liverpool, div.—*Jos. H. Clegg*, Royton, Lancashire, cotton spinner, April 8 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Edward Dixon, Gravesend, Kent, oilman, April 5 at 1, Court of Bankruptcy, London.—*Edw. Reynolds* the younger, Southtown, Gorleston, Suffolk, miller, April 8 at half-past 12, Court of Bankruptcy, London.—*James Henry Mills*, Hove, Sussex, broker, April 6 at 12, Court of Bankruptcy, London.—*Frederick King*, Oxford, auctioneer, April 6 at 12, Court of Bankruptcy, London.—*Wm. Puleston*, Wrexham, Denbighshire, draper, April 12 at 11, District Court of Bankruptcy, Liverpool.—*Edmund Willcos* and *John Willcos*, Aberdare, Glamorganshire, grocers, April 17 at 12, District Court of Bankruptcy, Bristol.—*John Freeman*, Millbank, Worcestershire, cattle dealer, April 11 at 12, District Court of Bankruptcy, Birmingham.—*Jesse Hilton*, Foleshill, Warwickshire, silk manufacturer, April 11 at 12, District Court of Bankruptcy, Birmingham.—*Wm. Dobbs*, Wolverhampton, Staffordshire, brassfounder, April 15 at 11, District Court of Bankruptcy, Birmingham.—*Joseph H. Clegg*, Royton, Lancashire, cotton spinner, April 8 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Samuel Leggett, Norwich, innkeeper.—*William Pauling*, Holyhead, Anglesey, hotel keeper.—*W. L. Bickley*, Sheffield, Yorkshire, innkeeper.

SCOTCH SEQUESTRATIONS.

Patrick Reilly, Coatbridge, innkeeper.—*Loudovick Hill* and *William Johnstone*, Glasgow, grain merchants.—*Thomas McMillan*, jun., Edinburgh, grazier.—*James Baird*, Paisley, grain dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Cummins, Birkenhead, Cheshire, provision dealer, March 22 at 10, County Court of Cheshire, at Birkenhead.—*Henry John James*, Hertford, mail contractor, March 28 at a quarter before 11, County Court of Hertfordshire, at Hertford.—*George Hall*, Birmingham, retail brewer, March 23 at 2, County Court of Warwickshire, at Birmingham.—*J. Smith*, Birmingham, cigar dealer, March 23 at 2, County Court of Warwickshire, at Birmingham.—*William Rothwell Lomas*, Birmingham, machinist, March 23 at 2, County Court of Warwickshire, at Birmingham.—*Peter Short*, Hemel Hempstead, Hertfordshire, tailor, March 27 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*David Taylor*, Broughton, near Manchester, woollen merchant, March 22 at 10, County Court of Cheshire, at Birkenhead.—*William Williams Smith*, Cambridge, publican, March 23 at 3, County Court of Cambridgeshire, at Cambridge.—*William Jagger*, Northgate, Halifax, Yorkshire, confectioner, March 29 at 10, County Court of Yorkshire, at Halifax.—*Edward Warren*, Attleborough, Norfolk, farmer, April 26 at 9, County Court of Norfolk, at Attleborough.—*John Clarke*, Thetford, Norfolk, labourer, March 26 at 2, County Court of Norfolk, at Thetford.—*George Davenport*, Wybunbury, Cheshire, innkeeper, March 28 at 11, County Court of Cheshire, at Nantwich.—*John Jervis*, Wrenbury-cum-Frith, Cheshire, painter, March 28 at 11, County Court of Cheshire, at Nantwich.—*Wm. Morris* the elder, Blaen Cwm, Loughor, Glamorganshire, out of business, March 28 at 11, County Court of Carmarthenshire, at Llanelli.—*Cawood Robinson*, Broughton, Lancashire, salesman, March 27 at 12, County Court of Lancashire, at Salford.—*Mark Coates*, Scarborough, Yorkshire, milliner, March 27 at 10, County Court of Yorkshire, at Scarborough.—*E. Adahed*, Burslem, Staffordshire, crate-maker, March 27 at 10, County Court of Staffordshire, at Hanley.—*John Collins*, Exeter, hairdresser, April 6 at 10, County Court of Devonshire, at Exeter.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Patrick Byrne, Liverpool, provision dealer, No. 72,023; *Frazer Morton*, assignee.—*Thos. Ayrton*, Top Marsden, near Colne, general dealer, No. 72,031; *John Craven*, assignee.—

Stockdale Thompson, Northgate, Blackburn, cordwainer, No. 72,132; *Thomas Nettleton*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, March 30 at 11.

Samuel Stubbs, Sunny Brow, Gorton, near Manchester, farmer.—*Richard Rushton*, Garston, near Liverpool, out of business.—*John Heywood*, Stanworth Quarry, Withnell, near Blackburn, quarryman.—*John Pritchard*, Toxteth-park, Liverpool, out of business.—*Ratcliff Whitehead*, Oldham-road, Manchester, out of business.—*Wm. Jackson Hobson*, Longlight, near Manchester, out of business.—*John Rhodes* the elder, Newton-beath, Manchester, dealer in woollen cloth.—*John Wilkinson*, Liverpool, out of business.—*Jas. Cowgill*, Cheetham, Manchester, salesman.—*George Millner Crookall*, Lytham, schoolmaster.—*Michael Shennan*, Liverpool, provision dealer.—*Henry Cantliffe*, Oldham-road, Manchester, out of business.—*Christopher Taylor*, Highgate, Kendal, Westmoreland, butcher.—*Christopher Heaps*, Back Salford, Clitheroe, labourer.—*Gerrard Burns*, Manchester, provision dealer.

At the County Court of Lincolnshire, at LINCOLN, April 1 at 10.

Joseph Hardy, Sutton Saint James, near Long Sutton, farmer.

INSOLVENT DEBTORS' DIVIDENDS.

Arthur Bryant Hastings, King's Lynn, Norfolk, tea and coffee dealer, March 15, at Hunt's, Norwich: 17s. 4d. in the pound.—*Samuel Hughes*, Glanvillyen Henegwys, Anglesey, farmer, March 20, at Rae's, Liverpool: 1s. 8½d. in the pound.

The Queen has been pleased to appoint Falkner Hope, Esq., to be Resident Magistrate at Richmond, in the Settlement of the Cape of Good Hope; and also George Garcia, Esq., to be her Majesty's Solicitor-General for the Island of Trinidad.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—*Thomas Snape*, of Warwick; *Henry Rogers*, of Helston, Cornwall; *Richard Samuel Chattock*, of Solihull, Warwickshire; *Archibald Reeves*, of Taunton; *Benjamin Bradley Hewitt*, of Bishop's Waltham; *Rowland Rodway*, of Trowbridge, Wiltshire.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—*Sir Robert Gore Booth*, Bart., for the county of Sligo, in the room of *John Ffolliott*, Esq., who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

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LONDON, MARCH 23, 1850.

In a pamphlet lately published by a well-known writer on legal reforms* are to be found some rather curious statistical statements respecting the effect on the pockets of suitors, of a judge yielding to the anxiety of solicitors to postpone the hearing of causes on account of the absence of their leading counsel. Whether, as a matter of good taste, it is expedient or decent publicly to attack a judge, not, while he is doing wrong, for the purpose of making him do right, but for the purpose of reminding him how very wrong he has been, after he has ceased to do the wrong, and publicly announced his intention in future to do right, is a question upon which we shall not here enter. The inclination of our own opinion would have been against this mode of proceeding. But it is a matter of feeling and taste, on which men may perhaps reasonably differ, and at any rate do, in fact, very widely differ; and as evidence of such difference, to use the language of a pleader, we refer to the publication of the pamphlet in question.

If, however, the good taste of the learned writer's pamphlet is materially questionable, his facts are, at any rate, unquestionably material. One we select as particularly striking:—"A testator's property consisted chiefly of some leasehold houses at Manchester. These were bequeathed specially to a class, all infants. His general personal estate was small, and it was doubtful whether there was any disposition of the residue. On behalf of the infants it was alleged, that there was such a disposition, and in their favour. The next of kin

contended for an intestacy. There was a direction that the sum of 150*l.* should be laid out in the purchase of a Government annuity for an old female servant. The testator had been bed-ridden for many years, and she had attended him with great care. There was an administration suit, the infant class being the plaintiffs, and the executors and next of kin the defendants. At the beginning of the year 1847 (there having been certain preliminary inquiries) you pronounced the decree, and late in the same year you made an order upon exceptions (by a bond creditor) to a separate report of the Master. But the decree was not pronounced, and the order upon the exceptions was not made without numerous delays, embracing many weeks, occasioned by the non-appearance, sometimes of the leading counsel of the plaintiffs, at other times of a leading counsel of the defendants. One day in the spring of 1848, the cause, being in your paper upon further directions, was called on, and ought to have been heard. The plaintiffs' leading counsel was, however, opening an appeal before the Lord Chancellor, and all your causes stood over. You left the court after a sitting which lasted less than a quarter of an hour. Motions and petitions occupied the succeeding week; and in that week, and before the cause came again before you, there was an abatement, by the death of one of the next of kin. The usual proceedings having been had, there was a revivor, and soon after you made the order upon further directions. The question of intestacy had fallen to the ground; the general personal estate barely liquidated the debts and costs. There was consequently nothing for the payment of the 150*l.* legacy; and it was a painful circumstance when, a benevolent individual examining the bills of costs, it was found there would not have been such deficiency had the junior

* A Letter to the Vice-Chancellor of England, &c. By C. Purton Cooper, Esq., a Benchet of Lincoln's-inn. Stevens & Norton. 1850.



counsel (the leading counsel not being in their places) been required to proceed. It was to this omission that items in the bills of costs, somewhat exceeding 150*l.*, owed their existence. The old female servant is in some union workhouse."

The next is not much less material:—

"From the year 1827, when the late Mr. Michael Angelo Taylor first communicated with me upon Chancery reform, the statistics of the court have, as you are aware, always been for me a favourite inquiry. In an investigation of that kind, I sometime ago had occasion to ascertain the number of opposed motions coming before you upon the day set apart for that description of business, and the number of solicitors entitled to charge for attending the hearing of such motions. The average I procured was—as to the motions, 50; as to the solicitors, 150.

"Now, very recently, out of the five days assigned at the usual intervals to motions, three were wholly lost as regards motions of this species. The leading counsel never presented themselves; they were employed in Lincoln's-inn Hall. Consider the result. A solicitor's fee is 13*s.* 4*d.* for attending the hearing of a motion: 13*s.* 4*d.* \times 150 = 100*l.* Here, then, was a sum of 100*l.* thrown away. But this was the sum thrown away on one only of the days to which I allude. The sum thrown away on the three days was 300*l.*"

Now, there are few persons who would not have been at all times ready to admit, that to permit the public business to be postponed for the convenience of particular counsel, or more properly for the convenience of particular parties to a particular cause, was a pernicious practice; but then most men held it pernicious on those general and somewhat vague grounds of principle which admit of much argument, and are consequently easily overcome by a pertinacious adherence to a specific and practical proposition. Thus, when, on the one side, a learned judge is told, that, by suffering causes to stand over because the leading counsel are absent, he is wasting the public time, delaying suitors, checking the development of junior forensic talent, &c.; and on the other, he is assailed by the single, practical, unanswerable argument—"I have retained Mr. A. or Mr. B. as my leading counsel; in him only have I faith; and if I am forced to go to trial without him, I am personally, visibly, and practically injured;"—can there be a doubt to which side a less gentle-tempered judge than the one whose repented sins are the text on which Mr. Cooper lectures, would incline? Had that learned judge had his attention called long ago to the statistics now brought forward, there can be as little doubt that long ago that same gentleness of disposition, which made him seek the accommodation of individuals, by postponing causes and rising if his leading counsel were absent, would have made him refuse to do that which, in effect, caused an immediate and practical injury to others, much more than equivalent to the benefit conferred on the favoured counsel and suitor.

We rejoice as much as any one can at the resolution adopted by the learned Vice-Chancellor. We conceive, that independently of all other considerations—and they are many—it is most material to the purposes of justice that the course of proceeding in courts should be such as to train the junior Bar for future leaders; and for that purpose to foster in them, among others, the feel-

ing of responsibility—a feeling which nothing tends more to repress than the certainty that they will never be called upon to act without their leaders. It is a most mistaken and mischievous notion, extensively prevalent among junior counsel, that it is no part of their business to be prepared to lead their case. No doubt it is not their primary business, and no sensible junior doubts that it is no part of his business to lead, when he has a leader present. But it is his business to prepare himself, to the best of his ability, to conduct the whole case as if he were the leader, should accident or unavoidable absence deprive him and his clients of the services of the senior counsel, just as much as it is the duty of the first lieutenant of a ship to be prepared, to the best of his ability, to take the command should the captain fall in action. Few men are born leaders at the Bar, any more than in the camp; and few men learn to be leaders who are lulled into indolence by the certainty that they will not on any occasion be called upon to lead. Were there, then, no other reason than that of training an efficient Bar—and there are many—we should rejoice to see a return to a practice under which it will be impossible for junior counsel ever to say, that they may not be charged with the whole responsibility of conducting a case.

LEGACY DUTY ON PROPERTY ADMINISTERED OUT OF GREAT BRITAIN.

DIFFICULT questions frequently arise with respect to the liability of property to legacy-duty in this country, where either the deceased owner died domiciled in a foreign country or in a colony, or the property is administered out of this country. The difficulty, however, now resides principally in the application of the law to the facts of each individual case; for, with one exception, to be presently noticed, the rules by which cases of this kind are governed have been settled by the modern decisions upon a satisfactory footing. It was formerly thought that all personal property administered in this country was liable to legacy-duty, without regard to the domicile of the deceased owner; at least, when that owner was a British subject. In *The Attorney-General v. Osbornell* (1 Price, 185) the testator was a British subject resident in the East Indies; and it was held, that legacies bequeathed by him to persons living in England, and paid in England by his executors, who had proved his will in England, out of assets realised in India, were liable to legacy-duty. The judgment in that case is remarkably meagre and unsatisfactory. The decision, however, was followed in *The Attorney-General v. Beaton*, (7 Price, 560); and the ground of the decision in that case was expressed to be, that the legacy was paid in this country by one who was administrator here. In *Logan v. Fairlie* (2 Sim. & S. 284) the testator was a major in the service of the East India Company, resident in India, where he died, and where all his property was situate. His will was proved in India by his executor, who was resident there, and was not proved in England. The residue was remitted by the executor to his agent in England. Sir John Leach, V. C., held, in a suit by the residuary legatees against the agent to have the residue secured, that the legacy-duty was payable, and also that administration should have been taken out in England, and the administrator made a party to the suit. The question of domicile was not discussed. Sir J. Leach admitted, that, if the residue had been remitted to England for the specific use of the legatees, the duty would not have been payable; but he said the case before him was one where a part of the assets was found in England without any specific appropriation. The decision was overruled by the Lords Commissioners, on the ground that the residue had been appropriated in India. (*Logan v. Fairlie*, 1 My. & C. 59).

The point had been decided in the same way, as to a specific legacy, in *Hay v. Fairlie*, (1 Russ. 117), where it appears that the testator was domiciled in India. In *Logan v. Fairlie* the domicile must also be taken to have been Indian, as the testator was in the East India Company's service. (See *Marsh v. Hutchinson*, 2 B. & P. 228; *Bruce v. Bruce*, Id., note; and *Munroe v. Douglas*, 5 Mad. 379). The doctrine of *Hay v. Fairlie* was affirmed by the decision of the House of Lords in *The Attorney-General v. Jackson* (8 Bligh, 15; S. C., nom. *The Attorney-General v. Forbes*, 2 Cl. & Fin. 48, *Jackson v. Forbes*, 2 Cr. & J. 382), and even carried further. There the testator, a British subject, died in India, having personal property there, and none in England. His executors proved the will there, but the residuary estate was invested in England in their names; and two of them subsequently came to England, when, a suit having been instituted to ascertain the rights of the residuary legatees, and the fund paid into court, it was held that the Crown was not entitled to legacy-duty; and the grounds of the decision appear to have been, that the will was not proved and the estate was not administered in this country. In that case the deceased was an officer in the British service at the time of his death, and his domicile was therefore that of his native country, Scotland.

In *Arnold v. Arnold* (2 My. & C. 256) the testator died domiciled in India, where the whole of his estate, not specifically bequeathed, was situate. It was held, that the English executors, administering the Indian estate in England, were not bound to pay legacy-duty; and the ground of the decision was, that the Stamp Act only applied to persons domiciled in this country.

In *Re Ewin*, (1 Cr. & J. 137), the testator having died domiciled in England, it was held, that foreign funds, transferable and payable abroad, but dealt with as part of his assets by his executors in England, were liable to the duty. (See also *Re Coates*, 7 M. & W. 390). On the other hand, in *Re Bruce*, (2 Cr. & J. 437), property situate in this country, and administered here by the English executor of a foreign testator who had died abroad, was held to be exempt from duty. But the Court left the question open, whether the duty would have attached if the testator had been a foreigner domiciled abroad. In *The Commissioners of Charitable Donations v. Devereux* (13 Sim. 14) the duty was held not to attach in respect of property situate abroad belonging to a British subject who died domiciled abroad. Lastly, in *Thompson v. The Advocate-General*, (9 Jur. 217; 12 Cl. & Fin. 1), the testator, a native of Scotland, died domiciled in Demerara, a colony belonging to Great Britain, but in which the Dutch law remained in force; his will was proved in Scotland, and legacies were paid to legatees residing there. It was held, by the House of Lords, reversing a decision of the Court of Exchequer in Scotland, and overruling *The Attorney-General v. Cockrell* and *The Attorney-General v. Beatson*, that the legacy-duty was not payable. Tindal, C.J., in delivering the opinion of the judges, said that there was no distinction between the case proposed to them and that decided in the House of Lords, (*The Attorney-General v. Forbes*, 2 Cl. & Fin. 48), except the circumstance, that in the present question the property was assumed to be, for the purposes of the probate, locally situate in England at the time of the death, a circumstance which was held to be immaterial in *Re Ewin*, (1 Cr. & J. 151). The Lords, however, appear to have decided the case on the ground of the domicile, which certainly was not the foundation of the decision in *The Attorney-General v. Forbes*.

The case of *The Attorney-General v. Jackson* (or *Forbes*) remains unimpeached, and, taken in connexion with the other cases, we think it clearly decides, that if the property is administered in a foreign country, or in

a colony, by an executor or administrator who does not derive his authority from an English court, the legacy-duty does not attach, whether the testator died domiciled in England or not. The Stamp Act only applies, we conceive, to transactions within the country to which it gives the law; and as the legacy-duty is only made payable in respect of appropriations or payments by executors or administrators of the estates of deceased persons, it seems to be clear, upon principle as well as authority, that the duty is not demandable unless both conditions exist, namely, 1, the decease of a person dying subject, by reason of domicile, to the law, and, 2, the appropriation or payment by an executor or administrator within the limits in which the law has force. If either condition is absent, the duty is not payable. The latter condition is one which can seldom afford an opportunity for discussion in our courts, and it appears to have been overlooked by recent writers on the subject. Both Mr. Justice Williams, in his *Treatise on Executors*, (4th ed., vol. 2, p. 1392), and Mr. Tilsley, in his 2nd edition of his valuable *Treatise on the Stamp Laws*, (p. 685), appear to consider that the whole of the personal property of the deceased, wherever situate and wherever administered, is liable to legacy-duty, if the deceased died in a British domicile. But it cannot be doubted, at least, that the law has provided no means for recovering legacy-duty on the personal property of a deceased Englishman situate abroad or in a colony, administered and distributed there among legatees or next of kin resident there, by a personal representative constituted there, and never coming within the jurisdiction of the British courts.

From a little work recently published* it appears that the authorities at the Stamp-office have not yet arrived at correct views on the subject. The publication is stated to have been suggested by the following circumstances:—"A captain in one of her Majesty's regiments serving in the East Indies died in that country. His personal estate was situated there, and letters of administration were taken out to him in the proper court in that country by his widow, under which his estate was collected, his debts paid, and the residue was invested in the Indian funds for the benefit of his widow and next of kin. It afterwards became necessary to administer to him in this country, in order to obtain a sum due to his estate by the War-office. A year afterwards a portion of the residue invested in India was brought to this country. The Legacy-duty-office obtained information of this remittance, and upon an account being rendered to them of the estate which was administered in England, they demanded an account also of the estate administered in India, and that duty should be paid on the whole estate, wherever situate." The claim was rested on the ground that the testator had an English domicile at the time of his decease.

It is perfectly clear, that, in the circumstances as stated by Mr. Alcock, the claim is unfounded. Mr. Alcock has investigated the cases very minutely, but we think he has injured his cause by attempting to prove, not merely that domicile is not the only test of the liability to legacy-duty, but that it is not a test at all in cases where the deceased was a British subject, and died in a British colony in which the English law is in force. The authorities conclusively shew that no legacy-duty is payable if the deceased was not domiciled in that part of the British dominions in which

* "Personal Property in the East Indies, in what Cases subject to or exempt from Legacy and Residue Duty; being an attempt to shew, from a revision of the leading cases on that subject, that the personal property of any British subject dying in India, which is administered and appropriated there, is not liable to legacy or residue duty in this country. By John Beresford Alcock, of the Middle Temple, Esq., Barrister at Law." Benning. 1850.

the Stamp Acts are in force. Mr. Alcock denies that there can be an Indian domicile as distinguished from a British domicile. He says, "Domicile is a term belonging originally to questions of *distribution* of personal estate of persons dying abroad. It has since been extended to questions of the liability to duty of those estates, and it must receive the same construction in one case as in the other. There may be a domicile in England as against a foreign country, or as against a colony whose laws for the distribution of such estates are not English, as, for instance, Demerara." This is a mistake. Domicile is a status which has reference, not to climate, to race, or to a certain government, but to the local authority and extent of the particular law which is in question. Some of the laws which are in force in England are in force in some of the British colonies, because they were part of the law when the English law was introduced into those colonies. Other laws of England are not in force in the colonies, or in some of them, either because they were enacted after the acquisition of them, or because they were expressly confined to certain parts of the empire. Every part of the British dominions within which a particular law has no force is, with respect to that law, a foreign country; and domicile in that place is as effectual to exclude the operation of that law as domicile in a country subject to a different government. India is, with reference to our stamp laws, as much a foreign country as France; but with reference to the laws for the distribution of personal estate, it is not a foreign country, because those laws are adopted there. On the other hand, Scotland is a foreign country with reference to the English law of distribution, and is not a foreign country with reference to the English stamp laws.

G. S.

London Gazettes.

TUESDAY, MARCH 19.

BANKRUPTS.

JAMES HARBIDGE, (and not *Harbridge*, as advertised in last Friday's Gazette), Islip, Oxfordshire, miller, March 23 at half-past 1, and April 27 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Druce, Oxford; Berry, 36, Southampton-buildings, London. — Petition dated March 14.

JOHN SPICER, Barking, Essex, blacksmith and smack owner, dealer and chapman, March 25 at 2, and April 29 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Rawlings, Romford, and 7, John-street, Bedford-row. — Petition dated March 13.

CHARLES COVE, Hornchurch, Essex, builder and brick-maker, dealer and chapman, March 25 at half-past 2, and April 29 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Rawlings, Romford, and 7, John-street, Bedford-row. — Petition dated March 15.

JOHN BARTON BALCOMBE, late of Cannon-st., London, sharebroker, dealer and chapman, but now a prisoner for debt in the Queen's Prison, Surrey, April 11 at 2, and April 26 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Goddard & Eyre, Wood-st., Cheapside. — Petition filed Dec. 6, 1849.

JOHN BEDFORD, Bath, Somersetshire, music seller, commission-agent, billiard-table keeper, and lodging-house keeper, dealer and chapman, March 30 and April 30 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Hellings, Bath. — Petition filed March 16.

WILLIAM GORE, Liverpool, wheelwright and blacksmith, dealer and chapman, April 3 and 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Bradley, Liverpool. — Petition dated March 16.

MEETINGS.

John Hodge, Colyton, Devonshire, carrier, April 17 at 11, District Court of Bankruptcy, Exeter, and. ac.; April 18 at 1, div. — **Thos. Daniell**, Boulogne, France, copper smelter, April 17 at 11, District Court of Bankruptcy, Exeter, and.

ac.; April 18 at 1, div. — **William Smart Fox**, Narborough, Leicestershire, miller, April 29 at half-past 10, District Court of Bankruptcy, Birmingham, and. ac. — **Wm. Buddle**, Paddington, Middlesex, timber merchant, April 11 at 12, Court of Bankruptcy, London, div. — **Christopher Pope**, St. Philip and Jacob, Gloucestershire, copper manufacturer, April 11 at 11, District Court of Bankruptcy, Bristol, fin. div. — **Samuel Colville**, Liverpool, commission agent, April 9 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Frederick Collier Christy, **Frederick Adams**, and **James Powell Hill**, Rotherhithe, Surrey, engineers, April 9 at 11, Court of Bankruptcy, London. — **John Chisholm** and **William Chisholm**, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumers, April 10 at 12, Court of Bankruptcy, London. — **Thomas Cooper** the elder, Wolverhampton, Staffordshire, locksmith, April 11 at 12, District Court of Bankruptcy, Birmingham. — **James Bannehr**, Exeter, law stationer, April 19 at 1, District Court of Bankruptcy, Exeter. — **Henry Lowcock**, Thorverton, Devonshire, dealer in artificial manures, April 23 at 11, District Court of Bankruptcy, Exeter. — **George Henry Way**, Glastonbury, Somersetshire, innkeeper, April 18 at 1, District Court of Bankruptcy, Exeter. — **William Hulme**, Manchester, tailor, April 11 at 11, District Court of Bankruptcy, Manchester. — **John Spencer**, Manchester, cotton spinner, April 10 at 12, District Court of Bankruptcy, Manchester. — **Edward Brattam**, Northwich, Cheshire, cabinet maker, April 9 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

William Lancelot Kelly, Newport, Monmouthshire, bookseller. — **William Bush**, Great Green-street, Kentish-town, Middlesex, builder. — **Edward Moseley**, Upper Gloucester-street, Dorset-square, Middlesex, wine merchant. — **J. Steadman**, Hayfield-place, Mile-end-road, Middlesex, engineer. — **Wm. Bruce**, Albany-street, Regent's-park, Middlesex, baker. — **John Charles Rushbrook**, Exmouth-street, Clerkenwell, Middlesex, tailor. — **Henry Edward Tuck**, New Cavendish-street, Marylebone, Middlesex, milliner. — **Thomas Greenhow** and **Cephas Foster**, Old-street, St. Luke, and St. John-street, Clerkenwell, Middlesex, rectifiers. — **James Bowler**, Crescent, Southwark-bridge-road, Southwark, Surrey, hat manufacturer. — **John Straker**, Jarrow, Durham, brickmaker. — **Samuel Taylor**, Poynton, Cheshire, butcher. — **Robert Webster**, Preston, Lancashire, linendraper.

SCOTCH SEQUESTRATIONS.

Alexander Bannerman, Helmsdale, Sutherlandshire, merchant. — **John Ferguson & Co.**, Glasgow, calico printers. — **William Bell**, Haddington, clothier. — **James Waddell**, jun., Stanrigg, near Airdrie, coalmaster. — **Alexander Crichton**, Edinburgh, printseller. — **John Smart**, Montrose, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Brunt, Wisbech St. Peter, Cambridgeshire, innkeeper, April 5 at 2, County Court of Cambridgeshire, at Wisbech. — **Richard Chambers**, Boston, Lincolnshire, innkeeper, April 2 at 10, County Court of Lincolnshire, at Boston. — **John Cumming**, Maidenhead, Berkshire, upholsterer, April 1 at 11, County Court of Berkshire, at Windsor. — **William James**, Ketley Sand, Wellington, Shropshire, butcher, April 12 at 10, County Court of Shropshire, at Wellington. — **Richard Hadfield**, Liverpool, butcher, March 25 at 10, Liverpool District County Court, at Liverpool. — **William North**, Liverpool, railway clerk, March 25 at 10, Liverpool District County Court, at Liverpool. — **John Leighton**, Wellington, Shropshire, farmer, April 12 at 10, County Court of Shropshire, at Wellington. — **James Dixon**, Walsall, Staffordshire, pork butcher, March 28 at 12, County Court of Staffordshire, at Walsall. — **Edward G. J. Stallard**, Buriton, Southampton, harness maker, March 28 at half-past 11, County Court of Hampshire, at Petersfield.

Saturday, March 16.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

William Gault, Portobello, near Willenhall, Staffordshire,

engine fitter, No. 71,590 C.; Jos. Norton and James Norton, assignees.—*James William Bolton*, High-street, Shadwell, Middlesex, grocer, No. 61,237 T.; Lambert P. Mollidoun, sole assignee; Wm. R. Parsons, co-assignee, removed.

Saturday, March 16.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Samuel Mottley Bartlett, Mayfield-st., Dalston, Middlesex, wine agent: in the Queen's Prison.—*Joseph Henry Wetton*, King-st., Baker-st., Portman-sq., Middlesex, bookseller: in the Debtors Prison for London and Middlesex.—*J. Sherrard*, Gravel-lane, Southwark, Surrey, cork manufacturer: in the Queen's Prison.—*John B. Hudson*, Park-street, Dorset-sq., Middlesex, coachmaker: in the Queen's Prison.—*Wm. Hunt*, Frogmore, Wandsworth, Surrey, carrier: in the Debtors Prison for London and Middlesex.—*Richard Nunn*, Albert-grove, Morpeth-road, Victoria-park, Bethnal-green, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*John T. Bowden*, Fitzroy-terrace, Kentish-town, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Robert Harradine*, High-road, Lower Tottenham, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*Robert Tusting*, Lower-marsh, Lambeth, Surrey, green-grocer: in the Gaol of Horsemonger-lane.—*Alexander Hume*, Kent-st., Southwark, Surrey, baker: in the Queen's Prison.—*James Town*, Gravesend, Kent, tobacco-nist: in the Debtors Prison for London and Middlesex.—*Robert Pain*, jun., Shepherd's-bush, Middlesex, farmer: in the Debtors Prison for London and Middlesex.—*James Mowat*, Coborn-road, Bow-road, Stepney, Middlesex, traveller: in the Debtors Prison for London and Middlesex.—*Fisher Ablett*, Upton-road North, Kingsland, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*William Cripps*, New North-street, Red Lion-square, Middlesex, dealer in coals: in the Debtors Prison for London and Middlesex.—*H. M. Moore*, Warren-street, Fitzroy-sq., Middlesex, dyer: in the Debtors Prison for London and Middlesex.—*Camille César Napoléon Pomposi*, Brunswick-place, City-road, Middlesex, portrait painter: in the Debtors Prison for London and Middlesex.—*John Hollington*, Queen's-road, Holloway, Middlesex, labourer: in the Debtors Prison for London and Middlesex.—*Alex. Campbell*, Church-street, Chelsea, Middlesex, in no business: in the Debtors Prison for London and Middlesex.—*John Bird*, Ashton-under-Lyne, Lancashire, ginger beer manufacturer: in the Gaol of Lancaster.—*Joseph Ewbank*, Eggleston, near Middleton in Teesdale, Durham, publican: in the Gaol of Durham.—*Charles Howes*, Liverpool, master mariner: in the Gaol of Lancaster.—*John Liddell*, Hill-bank, Middleton, Lancashire, assistant surgeon: in the Gaol of Lancaster.—*John Parker*, Edgely, Stockport, Cheshire, labourer: in the Gaol of Chester.—*Joseph Treveltham*, Plumstead, Kent, builder: in the Gaol of Maidstone.—*John Henry Charnock*, York, land agent: in the Gaol of York.—*James Cowgill*, Cheetham, Manchester, salesman: in the Gaol of Lancaster.—*James Anthony Nichols*, Wakefield, Yorkshire, printer: in the Gaol of York.—*John Price*, Wombidge, Shropshire, mercer: in the Gaol of Shrewsbury.—*T. Faviell*, Duchy-cottage, near Harrogate, Yorkshire, railway overlooker: in the Gaol of York.—*John Stedman*, Goldhanger, Essex, farmer: in the Gaol of Springfield.—*Robert Horsfall*, Hep-tonstall, near Halifax, Yorkshire, butcher: in the Gaol of York.—*Wm. John Johnson*, Burnham, Westgate, Norfolk, coal dealer: in the Gaol of Norwich.—*Thomas Pattinson*, Lancaster, butcher: in the Gaol of Lancaster.—*S. Preston*, Bury, Lancashire, tin-plate worker: in the Gaol of Lancaster.—*John Firth*, Skelmanthorpe, near Huddersfield, Yorkshire, farmer: in the Gaol of York.—*F. Philipps*, widow, Leytonstone, Essex, out of business: in the Gaol of Springfield.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Glamorganshire, at CARDIFF, April 5.

Daniel Davies, Dowlais, near Merthyr Tydvil, shopman.—*Owen Bowen*, Penyarden, Merthyr Tydvil, out of business.—*David Lewis*, Caotwinpin, Merthyr Tydvil, haulier.

MEETING.

Randle Bower, Woodhead, near Mottram in Longdendale, Cheshire, sheep dealer, April 5 at 11, Worthington & Co.'s, Manchester, sp. aff.

FRIDAY, MARCH 22.

BANKRUPTS.

JOHN LLOYD, New Oxford-street, Middlesex, hosier and glover, March 28 at 12, and May 4 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Reed & Co., 59, Friday-st., London.—Petition dated March 19.

PETER BROAD the younger, Brighton, Sussex, tallow-chandler, March 30 and May 6 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Attree & Co., Brighton; Barron & Clarke, 29, Bloomsbury-square.—Petition dated March 9.

ROBERT DODD, Sheerness, Kent, builder, dealer and chapman, April 4 at 12, and May 7 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Tilson & Co., Coleman-street.—Petition dated March 15.

JOHN GOULDESBOUGH, Manchester, manufacturer, dealer and chapman, April 11 and 25 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Whitlow & Co., Manchester.—Petition filed March 16.

THOMAS BRETHERTON, Birmingham, livery-stable keeper, dealer and chapman, (carrying on business at Birmingham with Bartholomew Bretherton and Peter Bretherton as livery-stable keepers, lately under the style or firm of Thomas Bretherton & Co., but now under the style or firm of Bartholomew Bretherton & Co.), April 10 and 25 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Hodgson, Birmingham.—Petition dated March 15.

MEETINGS.

Thomas Rowen, Willow-walk, Cambridgeshire, draper, April 15 at 11, Court of Bankruptcy, London, and ac.—*John Stead*, Melcombe Regis, Dorsetshire, grocer, April 15 at 11, Court of Bankruptcy, London, and ac.—*William Brown*, Wood-st., London, and Providence-house, East-street, Cambridge-heath, Bethnal-green, Middlesex, elastic hat-band manufacturer, April 15 at 11, Court of Bankruptcy, London, and ac.—*Charles Wynne Davies*, Brownlow-street, Holborn, Middlesex, licensed victualler, April 15 at 11, Court of Bankruptcy, London, and ac.—*John Oliver*, Queen's-road, Bayswater, Middlesex, plumber, April 15 at half-past 12, Court of Bankruptcy, London, and ac.—*Luke Davy*, King-street-terrace, New North-road, and Job Davy, South-street, New North-road, Middlesex, builders, April 11 at 11, Court of Bankruptcy, London, and ac.—*Charles Robertson*, Leicester-place, Leicester-sq., Middlesex, master mariner, April 11 at half-past 11, Court of Bankruptcy, London, and ac.; April 12 at 1, div.—*Henry Watts*, Upper Bryanstone-st., Bryanstone-sq., Middlesex, corn dealer, April 11 at half-past 12, Court of Bankruptcy, London, and ac.—*Edward Brattan*, Northwich, Cheshire, cabinet maker, April 3 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Thomas Wilson* and *William Wilson*, Liverpool, merchants, April 3 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Patrick Drum*, Liverpool, glass-bottle dealer, April 3 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Samuel Colville*, Liverpool, commission agent, April 3 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Charles Fred. Carne* and *Maurice Telo*, Liverpool, merchants, April 17 at 11, District Court of Bankruptcy, Liverpool, and ac.; April 18 at 11, div.—*Wm. Storey*, Leeds, Yorkshire, wool dealer, April 15 at 11, District Court of Bankruptcy, Leeds, and ac.; April 16 at 11, div.—*Elias Cocker*, Manchester, cotton manufacturer, April 11 at 11, District Court of Bankruptcy, Manchester, and ac.; April 13 at 11, div.—*Edward Tyler Coleman*, Leominster, Herefordshire, and Carnaby-st., St. Marylebone, Middlesex, scrivener, April 11 at 12, District Court of Bankruptcy, Birmingham, and ac.—*Robert Tippler*, Great Tower-street, London, colonial broker, April 12 at 11, Court of Bankruptcy, London, div.—*T. S. Jukes*, Great Winchester-st., London, tailor, April 12 at 12, Court of Bankruptcy, London, div.—*J. Chisholm* and *Wm. Chisholm*, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumers, April 12 at 12, Court of Bankruptcy, London, div.—*Thos. Keesley* and *J. L. Keesley*, Church-street, Blackfriars-road, Surrey, and Wal-

sall, Staffordshire, tanners, April 12 at 1, Court of Bankruptcy, London, div.—*Charles Turner*, Lowestoft, Suffolk, grocer, April 19 at 12, Court of Bankruptcy, London, div.—*Wm. C. Streetfield*, Cornhill, London, underwriter, April 19 at 2, Court of Bankruptcy, London, div.—*Solomon Almainino*, Bevis Marks, London, dealer in feathers, April 19 at 1, Court of Bankruptcy, London, div.—*Charles Pulling*, Hay's-wharf, Tooley-street, and Trinity-square, Southwark, Surrey, potato salesman, April 16 at 1, Court of Bankruptcy, London, div.—*Henry E. Tuck*, New Cavendish-street, Marylebone, Middlesex, milliner, April 16 at 2, Court of Bankruptcy, London, div.—*Charles Slade*, Grange, Kent, market gardener, April 15 at half-past 11, Court of Bankruptcy, London, div.—*Wm. Woods*, Mount-place, Walworth-road, Surrey, ironmonger, April 15 at 12, Court of Bankruptcy, London, div.—*J. Kemp*, Chipperfield, Hertfordshire, victualler, April 13 at half-past 12, Court of Bankruptcy, London, div.—*H. W. Hemsworth*, Primrose-street, Bishopsgate-street, London, wine merchant, April 13 at 1, Court of Bankruptcy, London, div.—*Richard Emswson*, Grantham, Lincolnshire, scrivener, April 5 at 10, District Court of Bankruptcy, Nottingham, and. ac.; April 12 at 10, div.—*Wm. H. Maites*, Nottingham, innkeeper, April 5 at 10, District Court of Bankruptcy, Nottingham, and. ac.; April 12 at 10, div.—*Prince Wm. Smith*, Bristol, tanner, April 18 at 11, District Court of Bankruptcy, Bristol, fin. div.—*G. J. Jones*, Bristol, builder, April 18 at 11, District Court of Bankruptcy, Bristol, div.—*Matthew Flaig and John Alexander*, Bath, Somersetshire, clockmakers, April 16 at 12, District Court of Bankruptcy, Bristol, fin. div.—*Edw. Snowden*, South Shields, Durham, grocer, April 16 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Joe. Carter and James Beines*, Liverpool, merchants, April 18 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *Joe. Carter*.—*Edward Raisbeck*, Dowsbury, Yorkshire, ironmaster, April 16 at 12, District Court of Bankruptcy, Leeds, div.—*George Hesketh*, Manchester, straw bonnet dealer, April 18 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Charles Wright, Crooked-lane, King William-street, London, commission agent, April 13 at 11, Court of Bankruptcy, London.—*John Oliver*, Queen's-road, Bayswater, Middlesex, plumber, April 15 at half-past 12, Court of Bankruptcy, London.—*Robert Melford*, Fulford's-place, Southgate-road, Middlesex, builder, April 15 at 1, Court of Bankruptcy, London.—*Henry Simmons*, Ramsgate, Kent, grocer, April 19 at 12, Court of Bankruptcy, London.—*John Hudson Theobald*, Colchester, Essex, coal merchant, April 17 at half-past 1, Court of Bankruptcy, London.—*Ann Vernon*, Ashton-in-Makerfield, Lancashire, shopkeeper, April 18 at 11, District Court of Bankruptcy, Liverpool.—*John Williams*, Newport, Monmouthshire, auctioneer, April 17 at 11, District Court of Bankruptcy, Bristol.—*Charles Green*, Bristol, baker, April 19 at 11, District Court of Bankruptcy, Bristol.—*Thomas Dawson*, Pontefract, Yorkshire, fishmonger, April 15 at 12, District Court of Bankruptcy, Leeds.—*Timothy Harvey*, Newark-upon-Trent, Nottinghamshire, miller, April 19 at 10, District Court of Bankruptcy, Nottingham.—*Henry George Rideout*, Nottingham, glove manufacturer, April 19 at half-past 10, District Court of Bankruptcy, Nottingham.—*H. J. Hinerman*, Bury, Lancashire, apothecary, April 15 at 12, District Court of Bankruptcy, Manchester.—*Charles Gough*, Altrincham, Cheshire, ironmonger, April 12 at 12, District Court of Bankruptcy, Manchester.—*Henry Sutcliffe and Joseph William Harris*, Rochdale, Lancashire, cotton spinners, April 12 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

John Cleft, Markham-street, Chelsea, Middlesex, general dealer.—*Wm. Butt* the younger, Herne-bay, Herne, Kent, schoolmaster.—*Edward James Inchley*, Drayton, Leicestershire, corndealer.

PARTNERSHIPS DISSOLVED.

John Francis Weymouth and Fred. Green, Angel-court, London, solicitors.—*James Husband and James Wyatt*, Verulam-buildings, Gray's-inn, London, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Colin Murray, Holmedale, merchant.—*Wm. Lang*, Dum-

barton, draper.—*W. O. Watson & Co.*, Edinburgh, general merchants.—*Wm. McIlveen*, deceased, Barrhead, Renfrewshire.—*Joseph Moran*, Largs, hat manufacturer.—*Charles Gow*, Windy Mill, Fithie Water, Dighty Toll, near Dundee, miller.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Frampton, St. Helen, Worcestershire, tailor, April 10 at 10, County Court of Worcestershire, at Worcester.—*George Tinker*, Upton, Nottinghamshire, tailor, April 6 at 12, County Court of Nottinghamshire, at Newark.—*Richard Cotton*, Whitehill, near Kidsgrove, Staffordshire, furnaceman, March 27 at 10, County Court of Staffordshire, at Hanley.—*Wm. Thos. Lewis*, Rondda-valley, near Newbridge, Glamorganshire, out of business, April 5 at 10, County Court of Glamorganshire, at Cardiff.—*Samuel Stephens*, Shelton, Stoke-upon-Trent, Staffordshire, dealer in boots, March 27 at 10, County Court of Staffordshire, at Hanley.—*Geo. Simpson*, Barakem, Staffordshire, plumber, March 27 at 10, County Court of Staffordshire, at Hanley.—*George Owen Scotcher*, Uttoxeter, Staffordshire, licensed retailer of spirits, March 27 at 10, County Court of Staffordshire, at Hanley.—*George Townsend*, Alcester, Warwickshire, publican, April 25 at 2, County Court of Warwickshire, at Alcester.—*Elizabeth Hughes*, widow, St. Lawrence, Ludlow, Shropshire, April 18 at 10, County Court of Shropshire, at Ludlow.—*Samuel Bailey*, Tipton, Staffordshire, baker, March 26 at 3, County Court of Worcestershire, at Dudley.—*Arthur Coek*, Hertford, cordwainer, March 28 at 2, County Court of Hertfordshire, at Hertford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 5 at 11, before the CHIEF COMMISSIONER.

John Wilson, Pritchard's-row, Hackney-fields, Middlesex, chimney sweeper.—*Charles Thompson*, Hollwell-place, Blackheath-road, Kent, commercial traveller.—*John Wake*, Queen-st., Kingsland-road, Middlesex, commission agent.—*John Simpson*, Beaumont-square, Mile-end, Middlesex, captain in the Navy, upon half-pay.

April 6 at 11, before the CHIEF COMMISSIONER.

Edward Downing, Great Dover-st., Newington, Surrey, dealer in confectionery.—*John Walter Scribner*, Bedford-terrace, Kennington-street, Walworth, Surrey, and Barton-street, Barton-crescent, Middlesex, clerk to a solicitor.—*Edward Jennings*, East Acton, Shepherd's-bush, Middlesex, chandler-shop keeper.

April 6 at 10, before Mr. Commissioner LAW.

Michael Shannon Fitzgerald, Cumberland-row, Islington-green, Middlesex, clerk.—*Wm. Neville Horton*, Greenwich, Kent, printer.—*Thomas Capon*, Maxwell-cottage, Jamaica-level, Bermondsey, Surrey, overlooker of the Bermondsey Rotherhithe, and Deptford Turnpike Trust Roads.—*Robert Perreck*, Lincoln-street, King's-road, Chelsea, Middlesex, foreman to tailors.—*Robert Dowsell*, Upper George-street, Bromley, Middlesex, carpenter.—*James Tyler*, Blackfriars-road, Surrey, out of business.

April 6 at 11, before Mr. Commissioner PHILLIPS.

George Jeffreys, Queen-st., Brompton-road, Middlesex, clerk in the Common Pleas-office, Chancery-lane, London.—*George Alison*, Rathbone-place, Oxford-street, Middlesex, grocer.—*George Humphrys*, Bedford-row, Holborn, Middlesex, clerk to solicitors.—*Charles Edwin Barber*, Alfred-terrace, Bath-st., Devonport-st., Commercial-road East, Middlesex, coal meter.—*W. Tuck*, Dorvill's-row, Hammersmith, Middlesex, printer.

April 8 at 10, before Mr. Commissioner LAW.

George Wymark, Crawford-street, Marylebone, Middlesex, shopman to a grocer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 5 at 11, before the CHIEF COMMISSIONER.

Henry Osborn, Pitman's-buildings, York-road, City-road, Middlesex, shoemaker.—Angelo Bennett, Norfolk-street, Strand, Middlesex, shorthand writer.—George Henry Chilcote, Michael's-place, Brompton, Middlesex, attorney at law.—Joel Levy, Chatham, Kent, clothes salesman.—Algernon Lindsey Flint, Gresham-street West, London, warehouseman.—William Richard Edwards, Alfred-street, Bedford-square, Middlesex, assistant clerk in the General Register-office, Somerset-house.

April 5 at 11, before Mr. Commissioner HARRIS.

Christopher Bennett, Ankerwicke Villa, Shrubland-road, Queen's-road, Dalston, Middlesex, commission agent.—William Port Hallows, Trafalgar-place, Locksfields, Walworth, Surrey, out of business.—Caleb Lewis the elder, Chapel-street, Lamb's Conduit-street, and Capland-street, Church-street, Lisson-grove, Middlesex, oilman.—Jos. Davis, Duke-street, Bloomsbury, Middlesex, watchmaker.—Thos. Lindsey Green, Rose-street, Newgate-market, London, butcher.—Elias Lacy Sutherland the elder, Susannah-street, East India-road, Poplar, Middlesex, out of business.—Thomas Macauley Richey, Eversholt-street, Oakley-square, Camden-town, Middlesex, draper.—Charlotte Kopeck, Wharton-street, Pentonville, Middlesex, following no business.—John Wakeman the elder, St. Peter's-place, Hammersmith, Middlesex, beer-shop keeper.—Hen. Patrick Kelly, Winchester-buildings, Old Broad-street, London, iron merchant.

April 5 at 10, before Mr. Commissioner LAW.

Thomas Hancorn James, Great Russell-street, Covent-garden, Middlesex, tobacconist.—William Quin, Caroline-street, Eaton-square, Middlesex, following no trade.—Mary Marshall, John-street, Holland-street, Blackfriars-road, Surrey, out of business.—John Dowd, Oak-place, New Church-street, Bermondsey, Surrey, builder.—Dennis Francis Cooke, Lambeth-street, Whitechapel, Middlesex, licensed victualler.—Thomas Spiller, Dudley-street, Monmouth-street, Seven-dials, Middlesex, plumber.—William Thomas Travil, Hertford-street, Warren-street, Fitzroy-square, Middlesex, dealer in marine stores.—Arthur William Winter, Bedfordbury, St. Martin's-lane, Middlesex, pork butcher.

April 5 at 11, before Mr. Commissioner PHILLIPS.

Isaac Levy, Chatham, Kent, clothes salesman.—William Bills, Eastchurch, near Sheerness, Kent, grocer.—James Dudley, Upper Whitecross-street, St. Luke's, Middlesex, pork butcher.—John Smith, Bloomsbury-street, Holborn, messenger and assistant clerk to the Commissioners of Property Tax.—Rich. Cockhead, Bury-street, Bloomsbury, Middlesex, out of business.—Jos. Underhill, St. Mark's-place, Fulham-road, Little Chelsea, Middlesex, out of business.—William Harvey Watton, Dulwich, Surrey, omnibus proprietor.

April 6 at 11, before the CHIEF COMMISSIONER.

William Hunt, Frogmore, Wandsworth, Surrey, carrier.—Geverd Jantzen, Cumberland-street, Chelsea, Middlesex, out of business.—William Cuslake the younger, Manor-street, Old Kent-road, Surrey, coachbuilder.

April 6 at 10, before Mr. Commissioner LAW.

John Thomas Bowden, Hand-court, Holborn, Middlesex, tailor.—Thomas Calcutt, Torrington-mews, Burwood-place, Paddington, Middlesex, coachman.—Robert Henry Wright, Upper Fountain-place, City-road, Middlesex, schoolmaster.—John Sheppard, Cross-key-square, Little Britain, Aldersgate-street, London, bill discounting agent.—James Tison, Globe-passage, Fish-street-hill, London, tobacconist.

April 6 at 11, before the CHIEF COMMISSIONER.

Adjourned Case.

Matteo Bonacich, Queen's-court, King-street, Covent-garden, Middlesex, interpreter.

INSOLVENT DEBTORS' DIVIDENDS.

John Wilson, Holbeck, near Leeds, Yorkshire, joiner, March 23, at Horsfall & Harrison's, Leeds: 1s. 7½d. in the pound.—Thomas Kendall, Padstow, Cornwall, lieutenant in the Royal Navy, March 30, at Elworthy's, Devonport, and Goode's, Surrey-street, Strand: 3s. 10½d. in the pound, (in

addition to former dividends of 8s. 11d.)—Thomas Henry Mackenzie, lieutenant in the Royal Navy on half-pay, at Nichols's, 9, Cook's-court, Lincoln's-inn: 6s. in the pound.

MEETINGS.

William Nichols, Bristol, butcher, April 12 at 12, at Hinton & Son's, Bristol, sp. aff.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—George White, of Epsom, Surrey; Stafford Squire Baxter, of Atherstone, Warwickshire.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed William Stoccombe, Gent., of Reading, in the county of Berks, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Berks, also in and for the counties of Bucks, Hants, Oxon, Surrey, and Wilts.

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LONDON, MARCH 30, 1850.

THE question of the individual liability of the members of an insurance company upon a policy containing the usual clause, that the assured should be remunerated for his loss out of the society's funds, and that the shareholders should not be responsible beyond the amount of their shares, has been much considered in several recent cases. One of the earliest decisions upon the subject was *Alchorne v. Saville*, (6 B. Moo. 202, note). There three directors of an insurance company had executed a policy to indemnify the plaintiff from loss by fire, and they thereby ordered, directed, and appointed the directors for the time being to pay the loss out of the effects of the company. An action of covenant having been brought upon this policy, against subsequent directors, was held not to be maintainable, inasmuch as there was no covenant, but a mere order or direction to indemnify the plaintiff, and also as the defendants had not executed the deed. These were the grounds of the judgment, and as such were subsequently cited and distinguished in *Andrews v. Ellison*, (6 B. Moo. 199). The directors of a fire association had, in that case, executed a policy, declaring that the plaintiff should be remunerated out of the company's funds in case of loss by fire, and that neither of the directors who signed the policy should be liable to any demand for loss, except under the articles establishing the society. The plaintiff, having sustained a loss, sued the directors who had signed the policy, and averred in his declaration that the funds were sufficient to satisfy the amount of such loss. The defendants were held liable, upon the ground that they had agreed to be responsible to the plaintiff as far as the funds of the society would allow. In *Gurney v.*

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Rawlins (2 M. & W. 87) the directors, by the policy, ordered, directed, and appointed, that if the assured should die, the capital stock and funds should stand charged and be liable to pay his executors, &c. a certain sum. The assured died in the diocese of Exeter, and the policy was in that diocese at the time of his death; the defendants, however, resided, and all the stock and funds of the company were situate, in the diocese of London. The executors, under a probate from the Diocesan Court of Exeter, sued in covenant the directors who had signed the policy; and upon its being objected that the covenant was bona notabilia in London, where the funds were situate, and that it was a mere charge on such funds, the Court held that the action was rightly brought, the defendants being liable in their own persons, and the policy not giving any right against the fund itself. Parke, B., said, "The defendants undertake, by an instrument under seal, that this sum of money shall be paid if the funds prove adequate; therefore it is equivalent to a covenant to pay if J. S. goes to Rome." In *Dawson v. Wrench and Others* (18 L. J., Ex., 229) the declaration stated that the plaintiff insured his ship with a company on a policy which provided that the capital stock of the company should alone be liable, and that no proprietor should be charged beyond the amount of his share; that the defendants were directors who executed the policy, and, in consideration of the premium, promised that the company should perform such policy; it then averred a loss, and the sufficiency of the funds. The defendants were held personally responsible. And in *Reid v. Allan*, (13 Jur., part 1, p. 1082), which was an action on a similar policy, the Court of Exchequer held, that a member of the company who had not subscribed the policy was liable thereon, the funds being sufficient. The case of *Halket*



v. The Merchant Traders' Ship Loan and Assurance Company (14 Jur., part 1, p. 222) came before the Court of Queen's Bench on a motion for leave to issue execution, in pursuance of sect. 66 of the 7 & 8 Vict. c. 110, against a member of an insurance company, upon a judgment obtained against the company. It appeared, from the affidavit used on the occasion, that the capital stock was alone to be liable, that a *fieri facias* had been issued against the company, and nulla bona returned. Execution was refused, upon the ground, we should presume—for it does not appear very clearly from the judgment—that the funds of the company were evidently insufficient, nulla bona having been returned to the execution against such funds. The meaning of the clause that the subscribers should not be liable beyond the amount of their shares, but that the company's funds should alone answer the demand, was interpreted by the Court to be—"that the assured shall look to the funds of the company alone, so far as any remedy at law extends, and that the individual subscribers shall be liable only to contribute to the funds of the company to the amount of their respective shares, which liability must be enforced by the company against the subscribers, either at law or in equity, as the case may be, and the enforcement of which liability may possibly be compelled by the assured by some proceeding against the company." The rule, therefore, deducible from the authorities upon the subject, appears to be, that the clause in question does not prevent the assured from maintaining an action upon the policy, provided that the funds of the company are sufficient to meet his claim, and such action may be brought against either the parties who subscribed the policy, or any member of the company.

We call the attention of our readers particularly to the report of Lord Brougham's speech on Chancery Reform, (in another part of this journal), as the subject of it is of great interest to the Profession. We cannot, however, permit all the credit of the suggestions made by his Lordship to be attributed to his "near and dear relative," inasmuch as this humble journal pointed out long ago the applicability of the principles of the Winding-up Act, to certain classes of general Chancery business. (See 13 Jur., part 2, p. 330). Indeed, the idea so stood out, (if we may use the language of an artist), that scarcely any man, with a grain of observation, could fail to see it. We claim, therefore, no great credit for having seen the general applicability of the Winding-up Act, but, such as there is, we claim, at least, to share it with Lord Brougham's "near and dear relative."

For observations on the details of Lord Brougham's bill, we shall wait till we have a copy of it before us; but its general principles we cordially approve. We do not, however, see why consent administrations alone should be subjected to the operation of a Winding-up Act. The principle should be, that wherever the nature of the case is such, that there must be a decree for an account before the questions of right can be finally determined, the proceedings should commence with something in the nature of a winding-up order; that is, all the pleadings preparatory to the preliminary decree for an account, should be dispensed with.

We have received a communication from the author of the pamphlet commented upon in THE JURIST of last week, requesting us to state that the Vice-Chancellor of England perused the pamphlet in question as soon as it was in type, and that it was not till after his Honor's full and unhesitating approbation of the circulation of it, that it was published.

Imperial Parliament.

HOUSE OF LORDS.

Monday, March 25.

REFORM IN THE COURT OF CHANCERY.

Lord Brougham presented a petition which prayed their Lordships to give their sanction to a bill of which he then proposed the second reading. He should make as brief an explanation as he could of its substance, and after that he should move the second reading of it conditionally, in order that it might be printed and circulated during the recess, and thus have the benefit of the consideration and amendment of the profession of the law before its next stage in the progress of legislation. He had already stated, from the petition which he had just presented, that great difficulty existed in obtaining payments of legacies, and even of debts, by suit in the Court of Chancery, even in those cases which were uncontested, and in which there was no litigation, doubt, or difficulty. The impossibility of obtaining redress in such cases was the evil; the remedy for it was the bill which he then held in his hand. He did not take to himself the credit of devising that remedy; it was due, in the first place, to an act of the Legislature which was passed a year or two ago, called the Winding-up Act, and which had worked marvellously well; and, in the next place, to a near and dear relative of his own, Master Brougham, who had conceived the happy idea of extending that act, and of applying its machinery to all cases of administration suits in the Court of Chancery. He (Lord Brougham) had long known the evil of the present system, but he had never been able to grapple with it as his near and dear relative had done, owing to his knowledge of the duties performed in the Master's office, acquired by his experience of them during the last eighteen or nineteen years. The main object of the bill was to commence consent administrations in the Master's office. To secure an immediate notice to all parties, a judicial advertisement was to be made by the Master that he had commenced the administration, and an immediate and cheap appeal was to be given to the Court, in case any party was dissatisfied. To induce solicitors to get through their work rapidly, and without the expense of copies, they were to be paid, as far as possible, one fee for the job. It would then be the solicitor's interest to spend as little as possible, and finish as soon as possible. This was already done under the Winding-up Act, and had been attempted under the New Orders. Such being the case, he was about to introduce to their Lordships a scene of intolerable pressure on parties, of the most cruel injustice to individuals, of an enormous amount of property prevented from being enjoyed by the persons to whom it really belonged, and of an abuse of enormous extent in the courts of Chancery, for which neither the courts, nor the judges, nor the masters, nor the practitioners were responsible, but for which the law, and the practice founded on the law, were alone responsible. It was now found by law that an executor or a trustee (for a trustee now stood in the same place with an executor) was liable for unknown debts for years and years afterwards, although he had advertised for creditors to come forward. In proof of this position, the noble and learned Lord referred to *Kneeshaw v. Freinhead*, (3 My. & C. 123), decided by Lord Cottenham, C.; to that of *Lowe v. Castor*, (1 Beav. 426), decided by Lord Langdale, M. R.; and also to that of *Hill v. Gormine*, (Id. 540), decided by the same judge. In all these cases he contended that unknown debts, though advertised, were added on executors after a lapse of many years. Such being the case, it was clear that an executor, if he were in his senses, and had proved the will of his testator, had only one safe course to pursue, and that was to go into the Court of Chancery for his quietus. Their Lordships might, perhaps, suppose, that under such circumstances all executors did go there for such quietus.

No such thing. His relative, Master Brougham, had procured the true number of such executors as did so, by inquiries which he instituted at the Stamp-office. The probate returns shewed, that of persons possessed of personal estates in value between 500*l.* and 1000*l.*, from 4000 to 5000 persons died in a year; of persons possessed of personal property between 1000*l.* and 6000*l.*, 5000 to 6000; of persons possessed of personal property between 6000*l.* and 12,000*l.*, 1000 to 1500; and of persons possessed of personal property of 12,000*l.* and upwards, 800 to 1000. Rejecting all cases where the personal estate was sworn to be under 500*l.*, and assuming that half the rest came to the Court of Chancery, they ought to have 5000 to 6000 administrations in a year; but, from the Chancery returns, the actual number appeared to be not 600. Nine-tenths of the cases were therefore kept out of the court by the delays and enormous and intolerable expense of its proceedings. Now, if their Lordships were not alarmed, he would introduce them into the Court of Chancery, a place of which it was said, that if a man once got into it he would never get out of it. And here he would confine himself to the progress of a case where there was no litigation, and in which everything was done by consent. In the simplest administration suit there were two or three sets of parties, and therefore as many office copies of bill, with no real litigation. Then there were close copies; then the answers in draught; then the ingrossment; then a special commission to swear; then a special messenger to take the answer to London, as it was not allowed to send it by post; then office copies; then close copies; then counsel's opinion on evidence; then interrogatories to prove will, (if any land), although not disputed; then a special commission to examine witnesses; then evidence taken in secret, no one questioning the will; then special messenger to London; and then office copies. Sometimes there was an original will brought from the Probate Court at York to London, at an expense of 20*l.*, no one disputing it, or even looking at it; and then the cause was heard, and so entirely was the decision of course, that the Vice-Chancellor of England had disposed, to his knowledge, of sixty within the hour. Thus the learned judge was not one minute in hearing and making up his mind on each of these sixty cases. Then came the formal decree, "with the usual directions." His Lordship commented at length on the great and unnecessary expense incurred in administration suits prior to the decree for accounts, and then proceeded:—In addition to the entire saving of all costs up to the decree, a large saving would also be effected in the subsequent costs, as in further directions, petitions during progress of inquiry, supplemental and revivor suits, from death and other abatements, &c. The noble and learned Lord then read to the House the following examples of the costs in administration suits:—In *Say v. Creed*, which was an amicable suit, yet took three years and a half to complete, the costs to hearing were 150*l.* 4*s.* 7*d.*, and subsequent to it 647*l.*; forming a total of 797*l.* 4*s.* 7*d.* In *Reissnult v. Gillow*, which was also an amicable suit, and took four years to complete, the costs to hearing were 300*l.*, and subsequent 1400*l.*; the sale of the estates was 600*l.*; making a total of 2300*l.*, or 1700*l.* independent of the sale of the estates. These costs were occasioned by constant petitions to the Court; but all this would in future be done by the Master at once. In the case of *Clarke v. Clarke*, which was a hostile suit, and took six years before it was completed, the costs to hearing were 150*l.*, and the subsequent costs against a fraudulent executor for an account were 900*l.*; making a total of 1050*l.* In the case of *Gateley v. Carter*, which was an amicable suit, and in which there was only one defendant, the costs to hearing were 80*l.*, and the subsequent costs 390*l.*; making a total of 470*l.* An *Anonymous case*, which was a hostile suit, had already taken up fifteen years, and was yet unfinished. The bill was filed by a creditor against an executor and others, for 1000*l.*, on an estate worth 20,000*l.*, devised among four families. There had been three supplemental bills and three bills of revivor in the course of the suit. The cost of getting before the Master in all the suits exceeded 1500*l.* By giving a power to proceed as in the Winding-up Act, notwithstanding deaths, the suit would have been finished in a year, at one-third the cost of merely getting into the Master's office. If any objection should be taken to the primary jurisdiction, that it was trusting too much to the Master, the answer was, that under the Winding-up Act he now adjudicated on larger sums and on more difficult questions than generally went before the Court, and in one-tenth of the time. He would now

shew to their Lordships the effects of the Winding-up Act on a great concern, and the value of applying its machinery to other cases. A banking company was sent in Michaelmas Term, 1848, into the court, under a winding-up order. The debts and liabilities investigated and found before Christmas amounted to 522,348*l.* 10*s.* 9*d.*; on the 10th April, 1849, by sums paid off, the debts were reduced to 272,088*l.* 6*s.* 9*d.*; and on the 31st December, 1849, to 173,777*l.* 17*s.* 6*d.* Thus in fourteen months this vast amount of debts, claims, and liabilities, affecting nearly 600 persons, had been examined and adjudicated upon; some appeals had been heard and decided, and the concern cleared to the extent of 348,570*l.*, out of 522,348*l.*; and of the remainder, nearly half was now disposed of, and the whole would probably be finished in a few months. This case, supposing it could have been worked as a partnership suit in the common way, would have lasted a century at least in the court, and have cost 100,000*l.* But it could never have been worked; for in *Walsworth v. Holt* (the Imperial Banking Company) a suit was instituted in 1840, was heard before the Lord Chancellor, and found impracticable. A private act was obtained, at great expense, to enable the Court to appoint a receiver, who was, however, neither to make calls nor to distribute assets. The receiver collected and kept the assets, which neither he nor the Court could distribute. There was one point on which he had already touched, and on which he was desirous to give some further explanation. The solicitor, he had told their Lordships, was to be paid by the job; and the reason was, that the solicitor was now paid on an absurd and vicious system. No one knew that better than his noble and learned friend on the woolsack, (Lord Langdale), and no one had worked harder to remove it. A man who brought to the service of his client talent, skill, and indefatigable industry, obtained by an expensive education and matured by long experience, ought to be properly and well remunerated. Now, the vicious nature of the principle on which payment was made to him was this—that he was not allowed by the rules of the Courts to make charges except in a particular manner. He knew more about the charges made in the courts of common law than he did about those made in the courts of equity; but, certainly, it did appear to him that the charges in the latter were more absurd than those in the former. Because a solicitor could not charge for certain exertions of his skill and labour, he was compelled, in order that he might exist by his profession, to put his client to many tedious and dilatory processes, which were not only expensive, but also very dangerous to that client, as they exposed him to the risk of being turned round by the Court, or by a skilful, or it might be an unscrupulous, adversary. From all such processes the suitor ought to be relieved, as they were of no use, but of considerable detriment to him. Of the absurdity of the system which allowed some and prevented other charges from being made, the noble and learned Lord gave some amusing instances. They were not allowed to charge the money they advanced to get up evidence for their clients—that evidence upon which perhaps the whole fortune of the suit depended. Formerly they were allowed nothing for their attendance on consultations, than which nothing could be more useful for the progress of a cause, or for the avoidance of blunders in the management. That rule, he believed, was altered now, and he was glad of it; but formerly no Master would allow such a charge in the taxation of a bill of costs. What was the consequence? The attorney, to pay himself adequately, was compelled to draw up a long brief, to the damnification of his client in every way. First, his counsel received a long and confused, instead of a terse and intelligible brief, and, having to wade through such a brief, was to be paid proportionally. The ingrossing clerks were also to be paid for copying the briefs; and he verily believed that in some cases three counsel had been employed when two would have sufficed, in order that the profits of a third brief might accrue to the solicitor. Now, it was for the interest of the attorney that his client should be put to as much expense as possible, and it was for the interest of the client that he should be put to as little. His object was, that his suit should be disposed of as speedily as possible, because the greater the delay the greater was the expense, which the client must pay out of his own pocket. His near and dear relative, Master Brougham, advised that a reasonable sum should be paid to the solicitor, proportioned to the interest and the difficulty of the business which he had to transact. On that principle his relative was prepared to stand; and, for his own part, he

(Lord Brougham) must say that he entirely concurred in its justice.

Lord Langdale said, if the principle of the bill was to lessen, by all means consistent with justice, the expense and the delays of Chancery, then he most cordially gave it his support; but at the same time he was not to be understood as committing himself to all the details of the measure. One of their first duties ought certainly to be to shorten, as far as possible, proceedings in Chancery, and to lessen the expense. When his noble and learned friend, however, compared the proceedings under the Winding-up Act with the other business in Chancery, he should bear in mind that there was a complication of interests and numerous most important considerations arising out of ordinary suits in Chancery that did not arise under the Winding-up Act. There were, nevertheless, many things in the Winding-up Act that might be transferred with advantage to the other proceedings in Chancery.

After a few words from Lord Brougham, the bill was read a second time.

London Gazette.

TUESDAY, MARCH 26.

BANKRUPTS.

JAMES HILEY, South-street, Finsbury, Middlesex, private boarding-house keeper, dealer and chapman, April 6 at 11, and May 7 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Hooker, 8, Bartlett's-buildings.—Petition dated March 22.

WILLIAM BILBY, late of Swan-chambers, Gresham-st., London, but now of Essex-place, Grange-road, Dalston, Middlesex, warehouseman, dealer and chapman, (late in partnership with Cornelius Harness, at Swan-chambers), April 11 at 12, and May 10 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Van Sandau & Cumming, 57, King-st., Cheapside.—Petition dated March 23.

GEORGE EVERARD, Longton, Stoke-upon-Trent, Staffordshire, earthenware and china manufacturer, dealer and chapman, April 11 and 25 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Young, Longton, Staffordshire; Smith & James, Birmingham.—Petition dated March 20.

JOHN WATSON and ROBERT YOUNG WATSON, Sunderland, Durham, shipbuilders, (carrying on business at Deptford under the firm of Robert Young Watson & Co.), April 11 and May 10 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Fell, Sunderland; Rolfe & Edmunds, 12, South-sq., Gray's-inn, London.—Petition filed March 19.

MEETINGS.

Abraham Prime, Cambridge, and Boston, Lincolnshire, coach proprietor, April 8 at 12, Court of Bankruptcy, London, ch. ass.—Joseph Ellis, Pontypool, Monmouthshire, dealer in wines, April 17 at 11, District Court of Bankruptcy, Bristol, sp. aff.—Vincent Cooke, Worcester; cabinet maker, April 18 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; April 24 at 12, div.—Thomas Slater, Wombidge, Shropshire, brickmaker, April 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—John Ward, Bishopsgate-st. Within, London, chemist, April 13 at 12, Court of Bankruptcy, London, div.—Farquhar Macqueen, Leadenhall-street, London, merchant, April 13 at 11, Court of Bankruptcy, London, div.—William Ward, Wornford-court, London, merchant, April 18 at 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Hawke, King William-st., London, hatter, April 17 at 11, Court of Bankruptcy, London.—Edward Bell, Lambeth-walk, Surrey, grocer, April 18 at 12, Court of Bankruptcy, London.—Thos. R. Kemp, Abchurch-lane, London, bill broker, April 18 at 12, Court of Bankruptcy, London.—William Steane, Wellingborough, Northamptonshire, grocer, April 18 at half-past 1, Court of Bankruptcy, London.—John Matthews and John Martin, Chichester-place, King's-cross, Middlesex, drapers, April 10 at 12, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

John Bush, Darkhouse-lane, Billingsgate, London, coffee-house keeper.—Wm. Keys, Robert's-place, Commercial-road East, Middlesex, linendraper.—William Lilley, Albert-road, Peckham, Surrey, shipowner.—C. W. Davies, Brownlow-st., Holborn, Middlesex, licensed victualler.—George Rackham, Little Yarmouth, Suffolk, wine merchant.—G. J. Armstrong, Princes-sq., Ratcliffe-highway, Middlesex, coal merchant.—R. Noble, Leadenhall-street, London, tailor.—G. M. Cowley, Nottingham, scrivener.—Zaccheus Stafford, Nottingham, inn-keeper.—John Cowlshaw and James Cowlshaw, Derby, railway carriage builders.—George Rennie, Liverpool, merchant.—John Dixon, Liverpool, grocer.

SCOTCH SEQUESTRATIONS.

James Waddell, jun., Stanrigg, near Airdrie, coalmaster.—W. H. Thomson, Leith, shipowner.—W. & Jas. Galbraith, Milton Grain-mills, Port Dundas, Glasgow, millers.—Alex. Russell & Son, Kirkcaldy, engineers.—James Harper, Glasgow, merchant.—Juan Buckingham Wandesforde, Glasgow, miniature painter.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

F. C. Good, Glastonbury, Somersetshire, veterinary surgeon, April 13 at 10, County Court of Somersetshire, at Wells.—S. Sutton, Ashby-de-la-Zouch, Leicestershire, agricultural implement maker, April 9 at 10, County Court of Leicestershire, at Ashby-de-la-Zouch.—John Clift, South Brent, Somersetshire, blacksmith, April 12 at 2, County Court of Somersetshire, at Axbridge.—Thomas Dingle, Tavistock, Devonshire, farmer, April 6 at 10, County Court of Devonshire, at Tavistock.—Isaac Buckrell, Norton-under-Hamdon, Somersetshire, bleacher, April 17 at 10, County Court of Somersetshire, at Yeovil.—Fras. Jas. Flower, Clutton, Somersetshire, saddler, April 22 at 11, County Court of Somersetshire, at Clutton.—John G. Martin, Swansea, Glamorganshire, joiner, April 1 at 10, County Court of Glamorganshire, at Swansea.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 9 at 11, before Mr. Commissioner HARRIS.

James Armstrong, Blackfriars-road, Surrey, plumber.—Josiah Wilson, Stratford-terrace, Davenport-street, Ratcliffe, Middlesex, dealer in casks.—Matthew Morris, Moitlake, near Barnes, Surrey, chimney sweeper.—A. J. Perks, Bexley-heath, Bexley, Kent, plumber.

April 9 at 10, before Mr. Commissioner LAW.

T. C. G. Horn, Walthamstow, Essex, schoolmaster to the National School.

April 11 at 11, before the CHIEF COMMISSIONER.

George Fred. Taylor, Howland-street, Tottenham-court-road, Middlesex, music seller.

Saturday, March 23.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-street, Lincoln's-inn-fields, on giving the Number of the Case.

George William Dyson, Langford-place, St. John's-wood, Middlesex, gentleman, No. 61,166 T.; Archibald Mathison and James Markwell, assignees.—James Bradley, Beresford-street, Walworth, Surrey, traveller to an ironfounder, No. 61,226 T.; Henry Williams, assignee.—Wm. Beddall, Brierty-hill, Kingswinford, Staffordshire, miner, No. 71,587 C.; Thomas Smithyman, assignee.—Thomas Vine the younger, Sevenoaks, Kent, farm servant, No. 72,047 C.; Algernon Masters, assignee.—Richard Simpson, Horton, near Bradford, Yorkshire, stonemason, No. 72,100 C.; Thomas Waddilore, assignee.—Wm. King, Great Yarmouth, Norfolk, fisherman, No. 72,124 C.; Wm. Green, assignee.

Saturday, March 23.

Orders have been made, relating in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Samuel Allin, Little Welbeck-st., Cavendish-square, Middlesex, blacking manufacturer: in the Debtors Prison for London and Middlesex.—John James the elder, St. John-st., Clerkenwell, Middlesex, oilman: in the Debtors Prison for London and Middlesex.—William Forrester Bray the elder, Southampton-row, Russell-square, Middlesex, surveyor: in the Debtors Prison for London and Middlesex.—Robert Franklin, Green-st., Paddington, Middlesex, cab proprietor: in the Debtors Prison for London and Middlesex.—Henry Clark, Manchester-street, Manchester-square, and Hendon, Middlesex, livery-stable keeper: in the Queen's Prison.—J. Mann, Fulham-road, Kensington, Middlesex, farrier: in the Debtors Prison for London and Middlesex.—Solomon Greve, Raber-st., Goswell-st., Middlesex, clerk to a lamp manufacturer: in the Debtors Prison for London and Middlesex.—Wm. Angel King, Havering-st., Commercial-road East, Middlesex, wine merchant: in the Debtors Prison for London and Middlesex.—Charles Chalmers Foot, Brunswick-st., Blackfriars-road, Surrey, attorney's clerk: in the Queen's Prison.—John George Blackall, Shaftesbury-street, Hoxton Old-town, Middlesex, surgeon: in the Queen's Prison.—Stephen Hunt, Dean-street, Soho, Middlesex, hotel keeper: in the Debtors Prison for London and Middlesex.—Hugh Swan, Isleworth, Middlesex, draper: in the Debtors Prison for London and Middlesex.—Henry Valentine Smith, Brompton-square, Brompton, Middlesex, accountant: in the Debtors Prison for London and Middlesex.—Catherine Church, Picton-place, Peckham-road, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—Joseph Brace, Sydney-street, Brompton, Middlesex, tanner: in the Debtors Prison for London and Middlesex.—Henry Knight, Gilbert-st., Clare-market, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—William Hay, Bedford-place, Rotherhithe, Surrey, master mariner: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

Benjamin Edward Walker, High Holborn, Middlesex, eating-house keeper: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

Sarah Grace, Charlbury, Oxfordshire, retailer of tea: in the Gaol of Oxford.—David Lewis, Cae-twmpin, Merthyr Tydvil, Glamorganshire, haulier: in the Gaol of Cardiff.—George Temple, Southampton, merchant: in the Gaol of Southampton.—Edwin Wickham, Southampton, brewer: in the Gaol of Southampton.—Robert Croft, Barnard Castle, Durham, auctioneer: in the Gaol of Durham.—Samuel Burden, Brierley-hill, Staffordshire, grocer: in the Gaol of Coventry.—M. Trotter, Red-house, near Whorlton, Durham, countryman: in the Gaol of Durham.—Chas. Robertson, Woodlands, Higher Broughton, Manchester, designer: in the Gaol of Lancaster.—Joseph Clegg, Manchester, blacksmith: in the Gaol of Lancaster.—John Davis, Maidstone, Kent, ostler: in the Gaol of Maidstone.—John Macfarlane, Maidstone, Kent, railway clerk: in the Gaol of Maidstone.—William Wilson Thompson, Goole, Yorkshire, butcher: in the Gaol of York.—Joseph Carver, Wakefield, Yorkshire, brickmaker: in the Gaol of York.—Joseph Holroyd, Darlton, near Huddersfield, Yorkshire, grocer: in the Gaol of York.—John Talbot, Dewsbury, Yorkshire, carpet manufacturer: in the Gaol of York.—John Tann, Great Fransham, Norfolk, coal dealer: in the Gaol of Norwich.—Henry Miles, Coventry, Warwickshire, ribbon weaver: in the Gaol of Coventry.—John Swain, Canterbury, Kent, farmer: in the Gaol of Canterbury.—Luke John Ryan, Liverpool, tailor: in the Gaol of Lancaster.—Edwin Burnley, Liverpool, master of the brig Laurel: in the Gaol of Lancaster.—John Johnson, Poulton-le-Fylde, Lancashire, superintendent of the Preston and Wyre Railway: in the Gaol of Lancaster.—Alfred Wainwright, Pangbourne, near Reading, Berkshire, in no business: in the Gaol of Reading.—William Chadwick, Oldham, Lancashire, papermaker: in the Gaol of Lancaster.—Jacob Barrows, West Walton, Norfolk, farmer: in the Gaol of Norwich.—William Barnes, Hungerford, Berkshire, carpenter: in the Gaol of Reading.—Charles Potter,

Scarborough, Yorkshire, coach painter: in the Gaol of York.—Anthony Robinson, Market Rasen, Lincolnshire, rope manufacturer: in the Gaol of Lincoln.—William Sanders, Banbury, Oxfordshire, dealer in coals: in the Gaol of Oxford.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 10 at 10, before Mr. Commissioner LAW.

John Renment Searl, Church-street, Camberwell, Surrey, carpenter.

April 11 at 11, before Mr. Commissioner PHILLIPS.

Samuel Allin, Little Welbeck-street, Cavendish-square, Middlesex, blacking manufacturer.—Hen. Webber the younger, Adelphi-chambers, Adelphi, Middlesex, wine merchant.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Dorsetshire, at DORCHESTER, April 16 at 12.

Thomas Swan, Lyme Regis, lodging-house keeper.

At the County Court of Somersetshire, at TAUNTON, April 11.

George Tucker, Bath, coachbuilder.

INSOLVENT DEBTORS' DIVIDENDS.

George Barrow, Ulverston, Lancashire, blacksmith: 1s. 5d. in the pound.—James Lister, Halifax, Yorkshire, corn dealer: 8½d. in the pound.—Richard Philip Fletcher, Garway-road, Westbourne-grove, Bayswater, Middlesex, not following any calling: 5s. 7d. in the pound.—John Edward Bennison, Clarence-place, Clapham-road, Surrey, coachbuilder: 10d. in the pound.—William Young, Old Pye-street, Westminster, Middlesex, carpenter: 1s. 1d. in the pound.—Daniel Pashins, Grosvenor-mews, Grosvenor-square, Middlesex, coachsmith: 1s. 6½d. in the pound.—Henry Bernard Harris, Bootle, near Liverpool, master in the Navy: 7s. 6d. in the pound.—William Clarke, Bristol, solicitor: 3s. 6d. in the pound.—John Collings, Powell-street East, King's-square, St. Luke's, Middlesex, tailor: 1s. 11½d. in the pound.—George Goddard, Hellingly, near Hailsham, Sussex, general-shop keeper: 3½d. in the pound.—Thomas Bigham, Wigan, Lancashire, gingham manufacturer: 4s. 2½d. in the pound.—J. Matthias Candelin, Metropolitan-buildings, Old St. Pancras-road, Middlesex, attorney's clerk: 2s. 0½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

John Phillips, Leeds, share dealer, at Bulmer's, Leeds: 10½d. in the pound.

MEETINGS.

John Bartlett, Bath, Somersetshire, butcher's shopman, April 16 at 11, Court-house, Portugal-street, Lincoln's-inn-fields, London, pr. d.—William Gaunt, Portobello, near Willehall, Wolverhampton, Staffordshire, engine-fitter, April 12 at 12, King's Arms Inn, Bilston, Staffordshire, sp. aff.—James Baxter, Tillingham, Dengie, Essex, blacksmith, April 11 at 2, Brown's, White Lion Inn, Colchester, Essex, sp. aff.

FRIDAY, MARCH 29.

BANKRUPTS.

CORNELIUS HARNESS and EDWARD BISLEY, late of Swan-chambers, Gresham-st., but now of Aldermanbury, London, warehousemen, dealers and chapmen, April 11 at 12, and May 10 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Sale & Co., Manchester; Van Sandau & Cumming, 27, King-st., Cheapside.—Petition dated March 19.

WILLIAM BENJAMIN BLABER, Little Britain, London, plumber, glazier, and painter, dealer and chapman, April 6 and May 10 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Mardon & Prichard, Christchurch-chambers, Newgate-st.—Petition dated March 28.

JOHN CROOME, Bristol, manufacturing engineer, iron-founder, dealer and chapman, April 10 and May 8 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. W. & C. Bevan, Bristol.—Petition filed March 26.

WILLIAM ELLISON, Stainsby-road, Poplar, Middlesex, builder, dealer and chapman, April 9 at half-past 12, and May 7 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Walker & Co., 13, King's-road, Gray's-inn.—Petition filed March 25.

JOSEPH ROBINSON, High Holborn, Middlesex, bookseller, trader, dealer and chapman, April 9 and May 7 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Willoughby & Cox, 13, Clifford's-inn.—Petition filed March 25.

ROBERT GODSMARK the younger, Crosby-row, Walworth-road, Surrey, grocer and tea dealer, dealer and chapman, April 9 and May 7 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Espin, Bedford-row.—Petition filed March 25.

THOMAS BAGLEY COUSENS, Wisbeach St. Peter's, Cambridgeshire, shipbuilder, April 23 at 2, and May 14 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Gay, Wisbeach, Cambridgeshire; Child & Kelly, Old Jewry-chambers, Old Jewry.—Petition filed March 28.

JOHN STOLLE and **WILLIAM HODGSON**, Christian-street, St. George's-in-the-East, Middlesex, vinegar makers, (trading under the style or firm of John Stolle & Co.), April 12 at 12, and May 14 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. J. & C. Robinson, 7, Queen-street-place, Southwark-bridge.—Petition filed March 19.

JOHN BYNNER, Oswestry, Shropshire, grocer, dealer and chapman, April 15 and May 13 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Laddow, Birmingham; Young, jun., 29, Mark-lane, London.—Petition dated March 16.

JABEZ BOWYER, Boreham, Wiltshire, miller, dealer and chapman, April 10 and May 8 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. W. & C. Bevan, Bristol.—Petition filed March 16.

MARY LEVI, **JULIA LEVI**, and **ESTHER LEVI**, Liverpool, stationers and quill dressers, (trading under the style or firm of M., J., & E. Levi), April 12 and May 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Cross, Liverpool.—Petition dated March 23.

SAMUEL WROTH ANTHONY, Everton, Liverpool, ship-owner and dealer in railway shares, April 15 and May 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Dodge, Liverpool; Wootton, Tokenhouse-yard, London.—Petition dated March 22.

WILLIAM CHADWICK, Manchester and Salford, Lancashire, paper manufacturer, dealer and chapman, April 10 and May 1 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Atkinson & Co., Manchester.—Petition filed March 20.

MEETINGS.

Edward West, Leadenhall-street, London, ship agent, April 9 at 12, Court of Bankruptcy, London, last ex.—*George F. Sharples*, Manchester, hosier, April 8 at 12, District Court of Bankruptcy, Manchester, last ex.—*G. Whitehead*, *J. Settle*, *J. Hyde*, *Wm. Kelsall*, *Jas. Holden*, *Thos. Barlow*, *Duncan Crighton*, *John Jones*, *William Foster*, *David Crighton*, *James Ashworth*, *William Hopwood*, *John Murgatroyd*, and *James Brown*, Pendleton, near Manchester, cotton spinners, April 10 at 12, District Court of Bankruptcy, Manchester, last ex. of *J. Murgatroyd*.—*Thos. Gill*, Castle-st., Leicester-square, Middlesex, retailer of beer, April 10 at 11, Court of Bankruptcy, London, sud. ac.—*John Morris*, Brecon, druggist, April 11 at 11, District Court of Bankruptcy, Bristol, sud. ac.—*M. Flaig* and *John Alexander*, Bath, Somersetshire, clockmakers, April 11 at 11, District Court of Bankruptcy, Bristol, sud. ac.—*John Taylor*, Lincoln, butcher, April 10 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, sud. ac.—*George Hesketh*, Manchester, straw bonnet dealer, April 9 at 12, District Court of Bankruptcy, Manchester, sud. ac.—*John Stead*, Melcombe Regis, Dorsetshire, grocer, April 22 at half-past 11, Court of Bankruptcy, London, div.—*Wm. Brown*, Wood-street, London, and Providence-house, East-street, Cambridge-heath, Bethnal-green, Middlesex, elastic hat-band manufacturer, April 22 at half-past 1, Court of Bankruptcy, London, div.—*Chas. Wynne Davies*, Brownlow-st., Holborn, Middlesex, licensed victualler, April 22 at 12, Court of Bankruptcy, London, div.—*Thos. Morris*, Newcastle Emlyn, Carmarthenshire, linendraper, April 22 at

11, District Court of Bankruptcy, Bristol, div.—*Jos. Broadbent*, New Barn, Delf, Saddleworth, Yorkshire, woollen manufacturer, April 22 at 12, District Court of Bankruptcy, Leeds, second and fin. div.—*Samuel Worth*, Sheffield, Yorkshire, architect, April 20 at 10, District Court of Bankruptcy, Sheffield, div.—*George Barton* and *John Barton*, Manchester, copper roller manufacturers, April 8 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Matthews and *John Martin*, Chichester-place, King's-cross, Middlesex, drapers, April 27 at 12, (instead of April 10, as before advertised), Court of Bankruptcy, London.—*J. W. Jackson*, Colchester, Essex, coal merchant, April 19 at half-past 11, Court of Bankruptcy, London.—*James Patching*, Henfield, Sussex, brewer, April 19 at 1, Court of Bankruptcy, London.—*James Bonnia*, jun., Onslow-cottage, Brompton, Middlesex, builder, April 22 at half-past 1, Court of Bankruptcy, London.—*Samuel Wilson*, West Bromwich, Staffordshire, draper, April 22 at half-past 1, District Court of Bankruptcy, Birmingham.—*David Lees*, Wednesbury, Staffordshire, coach iron-work manufacturer, April 20 at 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Gaven Morton, New-road, Whitechapel-road, Middlesex, draper.—*Jos. Grey*, South Preston, Northumberland, market gardener.—*Richard Venning*, Totnes, Devonshire, cider merchant.—*Robert Kidd*, Tynemouth, Northumberland, common brewer.—*Wm. Wilson*, Houghton-le-Spring, Durham, maltster.—*Francis Clemenison*, Shelton, Staffordshire, earthenware manufacturer.—*V. Cooke*, Worcester, cabinet maker.—*Benj. Jefferies*, Worcester, boat builder.—*William Storey*, Leeds, Yorkshire, wool dealer.

SCOTCH SEQUESTRATIONS.

Thos. Stevenson, Glasgow, commission agent.—*J. Wilson*, Kirkcaldy, farmer.—*James R. Robertson & Co.*, Omea, near Holytown, Lanarkshire, founders.—*Mitchell & Mackintosh*, Perth, drapers.—*James Wallace*, Glasgow, writer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Meathrel, Paignton, Devonshire, coach maker, April 18 at 11, County Court of Devonshire, at Totnes.—*J. Nash*, Portland, Dorsetshire, labourer, April 18 at 10, County Court of Dorsetshire, at Weymouth.—*E. Kirkpatrick*, Fincham, Norfolk, tea dealer, April 16 at 11, County Court of Norfolk, at Downham Market.—*John Atkinson*, Liverpool, assistant to a blacksmith, April 8 at 10, Liverpool District County Court, at Liverpool.—*Joshua Evans*, Liverpool, cart owner, April 8 at 10, Liverpool District County Court, at Liverpool.—*John Cooper*, Liverpool, grocer, April 8 at 10, Liverpool District County Court, at Liverpool.—*Jasper Fowler*, Little Denhall, Lea Bailey, Newland, Gloucestershire, licensed victualler, April 13 at 10, County Court of Herefordshire, at Ross.—*Thos. Furley*, Wootton-under-Edge, Gloucestershire, licensed victualler, April 22 at 10, County Court of Gloucestershire, at Dursley.—*Henry Bradbury*, Bishopwearmouth, Durham, commercial traveller, April 24 at 10, County Court of Durham, at Sunderland.—*Thomas Coates*, Beckside, Beverley, Yorkshire, river aloopman, April 15 at 11, County Court of Yorkshire, at Beverley.—*Mary John*, widow, Llanharan, Glamorganshire, publican, April 5 at 10, County Court of Glamorganshire, at Cardiff.—*John Games*, Hay, Breconshire, hairdresser, April 13 at 10, County Court of Breconshire, at Hay.—*John Coates*, Wolsingham, Durham, draper, April 20 at half-past 10, County Court of Durham, at Wolsingham.—*Francis Winsor*, Riddings, Alfreton, Derbyshire, out of business, April 13 at 10, County Court of Derbyshire, at Alfreton.—*Wm. Henry Thomas*, Paignton, Devonshire, coach maker, April 18 at 11, County Court of Devonshire, at Totnes.—*Rich. Griffiths*, Wem, Shropshire, licensed victualler, April 15 at 12, County Court of Shropshire, at Wem.—*R. Franklin*, Wem, Shropshire, painter, April 15 at 12, County Court of Shropshire, at Wem.—*Thomas Hale*, Bristol, nail maker, April 17 at 11, County Court of Gloucestershire, at

Bristol.—*Elizabeth Ireland*, widow, Skeaby, Yorkshire, April 16 at 10, County Court of Yorkshire, at Richmond.—*John Adams*, Reading, Berkshire, furniture broker, April 11 at half-past 10, County Court of Berkshire, at Reading.—*Wm. Clark*, North Kelsey, Lincolnshire, tailor, April 10 at 9, County Court of Lincolnshire, at Caistor.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 12 at 10, before Mr. Commissioner LAW.

Wm. Rice, Goldsmith's-row, Gough-square, Fleet-street, London, baker.

April 13 at 11, before Mr. Commissioner PHILLIPS.

Edmund Baker the younger, Blackman-street, Southwark, Surrey, dyer.—*Samuel Flower*, East-street, Manchester-square, Middlesex, coal dealer.

April 15 at 11, before Mr. Commissioner PHILLIPS.

James Perkins, Porchester-gardens, Queen's-road, Bayswater, Middlesex, messenger to a railway company.—*Henry Mortlock*, Alfred-place, Waterloo-road, Lambeth, Surrey, licensed retailer of beer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 12 at 11, before Mr. Commissioner HARRIS.

Richard Rockford, George-st., Hammersmith, Middlesex, bird catcher.—*James Norris Field Reynolds*, Hanworth, near Hounslow, Middlesex, beer-shop keeper.—*Joseph Henry Wellone*, King-street, Portman-square, Middlesex, out of business.

April 12 at 10, before Mr. Commissioner LAW.

Richard Henry Tolson, Dorset-street, Portman-square, Middlesex, a major in her Majesty's Army, retired on half-pay.

April 13 at 11, before Mr. Commissioner PHILLIPS.

Robert Pain, jun., Shepherd's-bush, Middlesex, farmer.

April 15 at 11, before the CHIEF COMMISSIONER.

Joseph Bennett White the younger, St. John-street-road, Middlesex, out of employ.—*Robert Tusting*, Lower-marsh, Lambeth, Surrey, greengrocer.—*Felix Thomas Smith Berry*, Strand, Middlesex, pastrycook.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Berkshire, at READING, April 12 at half-past 10.

Israel Tombs, West Mills, Newbury, horse dealer.

At the County Court of Lincolnshire, at LINCOLN, April 11 at 10.

Jos. Phanis, Godney-hill, Godney, near Holbeach, farmer.

At the County Court of Kent, at CANTERBURY, April 13.

John Steain, New Romney, farmer.

At the County Court of Kent, at MAIDSTONE, April 13.

Joseph Trevelthan, Bromley, Middlesex, commission agent.—*John Davis*, Maidstone, ostler.—*John Macfarlane*, Maidstone, in no business.

At the County Court of Staffordshire, at STAFFORD, April 15 at 10.

Samuel Coates Morris Bradley, Wolverhampton, cigar dealer.

At the County Court of Cardiganshire, at CARDIGAN, April 17 at 10.

John Hughes Edwards, Abercrombin, Lampeter-pont-stephens, out of business.

At the County Court of Essex, at CHELMSFORD, April 16.

Frances Philipps, widow, Leytonstone, out of business.

At the County Court of Devonshire, at the CASTLE or EXETER, April 13 at 10.

John Lillicrapp, Meavy and Buckland Monachorum, farmer.

At the County Court of Hampshire, at SOUTHAMPTON, April 16 at 10.

Geo. Temple, Southampton, out of business.—*Edwin Wickham*, Southampton, out of business.

At the County Court of Durham, at DURHAM, April 12.

George Ward Gosland, Durham, grocer.—*Joseph Eubank*, Eggleston, near Middleton, in Teasdale, publican.—*Robert Croft*, Barnard Castle, auctioneer.—*Matthew Trotter*, Bishop Auckland, farm servant.

At the County Court of Lancashire, at LANCASTER, April 12 at 11.

John Liddell, Middleton, assistant surgeon.—*Henry Helderess*, Manchester, out of business.—*Charles Robertson*, Manchester, designer.—*Edwin Burnley*, Liverpool, master of the brig Laurel.—*Thomas William Berry*, Manchester, accountant.—*William Whitworth*, Rochdale, dealer in fish.—*Jos. Clegg*, Manchester, blacksmith.—*John Andrews*, Liverpool, out of business.—*Wm. B. Pattinson*, Liverpool, never in any business.—*H. Docker Lockman*, Manchester, accountant.—*John Dowd*, Liverpool, engine maker.—*Robert Sutcliffe*, Dalgate, near Todmorden, warehouseman.—*Thos. Mackell*, Hulme, Manchester, provision dealer.—*George Collin*, Rawhead, New Hutton, near Kendal, Westmoreland, farmer.—*John Bird*, Ashton-under-Lyne, ginger-beer manufacturer.

INSOLVENT DEBTOR'S DEVICES.

Thomas Ship, Ipswich, Suffolk, farmer, at Hillen's, Blaxhall, Suffolk: 7s. 4d. in the pound.

MEETING.

Thomas Allen, Longton, Stoke-upon-Trent, Staffordshire, trunk maker, April 15 at 3, Wheat-sheaf Inn, Stoke-upon-Trent, sp. aff.

MASTER IN CHANCERY.—The Lord Chancellor has appointed *Thomas Washbourne Gibbs*, Gent., of Bath, to be a Master Extraordinary in the High Court of Chancery.

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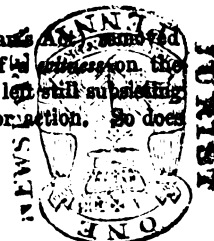
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to be avoided—on one hand was the danger, by provisions too general, of leaving a wide space for judicial discretion; on the other, equal danger, by going into minute details, of making the practice inflexible and intricate, increasing the risks of mischance, and leaving unprovided for whatever particulars were unforeseen. Whether they have succeeded in finding what they desired—a middle path between a judicial discretion, too wide for safety on the one hand, and too narrow for convenience on the other—can only be known by the result. It is impossible, within the compass of this communication, to give any other than the most general account of the code, as it is now presented. It is divided into four parts. The first relates to the courts of justice, their organisation and jurisdiction, and the functions and duties of all judicial and ministerial officers connected with them; the second embraces the subject of civil actions, with all their incidents; the third relates to special proceedings; and the fourth to evidence."

We are not at present about to examine generally the nature of the proposed American code, though we shall probably return to it as occasion may render the consideration of any of its articles interesting. We shall confine our present observations to the suggestions made in the chapter on Evidence—suggestions in which we take particular interest, because they proceed upon principles which we have often advocated in THE JURIST, and which have not yet been, though we have little doubt that they will ultimately be, acted upon in this country.

The 6 & 7 Vict. c. 85, (Lord Denman's Act), manifested the objection to the competency of a witness on the ground of interest or crime; but it left still subsisting the incapacity of a party to a suit or action. So does



the American law still; but, by the new code, it is proposed to admit the evidence of parties, as well as of any other interested persons; and there is to be no exclusion of evidence but on the ground of incapacity from unsoundness of mind, or incapacity arising from tender age, and on the ground of confidence. The grounds on which the admissibility of the evidence of parties has been advocated by gentlemen of considerable legal knowledge and experience, are familiar, probably, to many of our readers, from a perusal of the report made by a committee of the Law Amendment Society, which was recently printed and circulated. But it will be, perhaps, more interesting to practical men to know, that the plan has been tried, and with success, in the State of Connecticut. We quote from the report of the American commissioners a communication made to one of them by the Lieutenant-Governor of the State of Connecticut on the subject. He says—"As the statute is recent, and excepts from its provisions suits pending at its passage, the experiment has not been fully tested. So far, however, as it has been tried, I may safely say, after conversing with eminent gentlemen of the Bar in different parts of the State, and from my own observation, professional and judicial, that the result is highly satisfactory. So important a change in the rules of evidence met, of course, at the outset, a very earnest opposition, especially (with some distinguished exceptions) from the senior members of the Profession. Their fears, I believe, are in a great measure quieted, and I am not aware of any intention or desire to attempt a return to the old system."

"Many innovations on the principles of the common law, relating to the admissibility of interested witnesses, had formerly been made in Connecticut. The most common action with us is 'book-debt,' and in this the parties, and others having an interest in the event of the suit, had always been allowed to testify. The action of account at law is still in constant use here, in which the same rule exists. In other cases special statutes had obviated the difficulties arising from the restrictions of the common law, until it was found that either both of the parties, or one of them, were permitted, or might be required, to testify in about twenty of the different forms of civil and judicial proceedings. These changes having proved salutary, it was at last deemed safe and expedient to throw open the door entirely. There appears no tendency to go back; and as soon as the new system is firmly established, I think it will be a matter of surprise that any other should ever have obtained."

We trust that this evidence will go far to remove the prejudice that still exists against the extension to actions involving large interests, of that practice of examining the parties which it is, we believe, generally admitted, works well in the so-called insignificant cases within the jurisdiction of the county courts. We recommend to our readers' attention a striking publication*, in which the able judge of the Marylebone County Court has given the result of his experience and reflection on the subject.

* On the Expediency of Admitting the Testimony of Parties to Suits in the New County Courts, and in the Courts of Westminster Hall. To which are appended General Remarks relative to the New County Courts. By Andrew Amos, Esq., Judge of the County Courts of Marylebone, Brompton, and Brentford; Downing Professor of Law in the University of Cambridge; late Member of the Supreme Court of India. Cambridge, Deighton.

THE NEW STAMP-DUTIES BILL.

By the bill recently brought into the House of Commons by Mr. Bernal, the Chancellor of the Exchequer, and Mr. Hayter, very important alterations in the stamp laws are proposed. We have only space for a brief notice of the principal matters.

The new duties are to be payable in respect of instruments signed or executed by any party thereto, or which bear date, after the 5th day of July next.

The lease for a year stamp, required by the stat. 4 & 5 Vict. c. 21, s. 1, and by the 8 & 9 Vict. c. 106, s. 2, is abolished; so that, after the act comes into operation, there will be no difference, in point of economy, between a conveyance by appointment and a release or grant. This is effected by a clause in the body of the act. But in the schedule of repealed duties, the title "Bargain and Sale for a Year," from the schedule to the 55 Geo. 3, c. 184, which is applicable to leases for years actually executed, is included.

The duties repealed are—

The ad valorem and progressive duties on bonds to secure the payment or transfer of money, annuities, or stock in the funds, Bank Stock, &c.

The ad valorem and progressive duties on conveyances. The duties on leases.

The ad valorem and progressive duties on mortgages, but not the duties on transfers of mortgages, nor the provisions in the schedule to the 55 Geo. 3, c. 184, respecting several instruments relating to one mortgage, and instruments containing mortgages and other matter, (under which last provision it has been held, that a deed containing a further charge, and also a further security for the old debt, requires the deed stamp, in addition to the ad valorem stamp on the further charge).

The duties on settlements.

The duties on warrants of attorney.

The act is also to repeal the special duties payable in Ireland on leases.

In lieu of the repealed duties, the following are to be imposed:—

BOND for the payment of any definite and certain sum of money, not exceeding 50*l.* £0 5 0
Exceeding 50*l.*, and not exceeding 100*l.* 0 10 0
And where the sum shall exceed 100*l.*, then for every 100*l.*, and also for any fractional part of 100*l.* 0 10 0

The ad valorem duties on bonds for securing future advances, and for the transfer of stock, &c., (which is to include shares in the stock and funds of the Banks of England and Ireland, the East India Company, the South Sea Company, or any other company or corporation), are on the same scale; and the absurd doctrine in *Scott v. Allop*, (2 Price, 20), that the highest duty on a bond for securing future advances unlimited in amount, is not to be measured by the penalty, is expressly repudiated.

BOND to secure money or stock, also secured by a mortgage of even date, duly stamped, and referred to in the bond, if the money or value secured does not exceed 200*l.* . . . the ad valorem mortgage duty.

If it exceed that sum £1 0 0

BOND as an additional security for money or stock previously secured by a bond, mortgage, or other security, duly stamped ad valorem, and referred to in the bond, if the sum or value secured do not exceed 300*l.* the ad valorem duty.

If it exceed that sum £1 15 0

BOND given as the only or principal security for an annuity, upon the original creation and sale thereof —the ad valorem conveyance duty.

BOND given in the like case as a collateral security —the ad valorem duty, or 1*l.*, whichever is least.

BOND in other cases to secure an annuity for life, or of uncertain duration, not being interest, or rent on a lease, where the annuity does not exceed 50*l.* per annum£1 0 0

And where it exceeds 50*l.*, and does not exceed 100*l.*2 0 0

And where it exceeds 100*l.*, for every 100*l.*, or fractional part of 100*l.*, per annum2 0 0

Progressive duty on bonds, if charged with an ad valorem duty not exceeding 1*l.*—*the ad valorem duty*.

In other cases£1 5 0

CONVEYANCE "upon the sale of any property, real, heritable, personal, or moveable, or of any other matter or thing whatever, and of whatever nature, or of any estate, right, title, interest, claim, or security in, to, out of, upon, or in respect of any such property, matter, or thing:"

Where the purchase-money therein expressed shall not exceed 25*l.*£0 2 6

Exceeding 25*l.*, and not exceeding 50*l.*0 5 0

" 50*l.* " 75*l.*0 7 6

" 75*l.* " 100*l.*0 10 0

" 100*l.* " 125*l.*0 12 6

" 125*l.* " 150*l.*0 15 0

" 150*l.* " 175*l.*0 17 6

" 175*l.* " 200*l.*1 0 0

" 200*l.* " 250*l.*1 5 0

" 250*l.* " 300*l.*1 10 0

" 300*l.* " 350*l.*1 15 0

" 350*l.* " 400*l.*2 0 0

" 400*l.* " 450*l.*2 5 0

" 450*l.* " 500*l.*2 10 0

" 500*l.* " 1000*l.*, then for every 100*l.*, or part of 100*l.*0 15 0

" 1000*l.*, then for every 100*l.*, or part of 100*l.*1 0 0

Where the conveyance is made in consideration, wholly or in part, of any annuity, rent, or yearly sum to be afterwards borne or paid by the purchaser, (except rent reserved by a lease charged with ad valorem duty, quit or chief rent, or, in Scotland, feu duty, land-tax, tithes, or other public or parochial burthens, annual payments for land-tax redeemed, or for exoneration from tithes, copyhold rents or services, and transfers of leases and under-leases), the value of the annuity shall be ascertained according to the provisions of the Legacy-duty Act, (36 Geo. 3. c. 52, the highest value in the tables to that act being the limit in cases not within the tables, and no allowance being made for contingent defeasance, and a rent in perpetuity being valued at twenty-five years' purchase), and such value shall be stated in the conveyance, and charged with duty. And where the consideration is, wholly or in part, stock in the funds, or any Government debenture, or stock of the Bank of England or Bank of Ireland, or any debenture or stock of any corporation, company, society, or person or persons, payable only at the will of the debtor, then the market value shall be stated and charged with duty. And where the consideration is, wholly or in part, a mortgage, judgment, or bond, or a debenture, the amount whereof shall be recoverable by the holder, or any other security whatever, whether payable in money or otherwise, then such calculation shall be made according to the sum due thereon both for principal and interest.

*The progressive duty on conveyances is the ad valorem duty, or 1*l.*, whichever is least.*

COVENANT in lieu of a bond chargeable with ad valorem duty—the same duty as a bond for the like purpose; unless given as a collateral or further security, where the ad valorem duty has been or is paid on another instrument referred to; except also covenants in mortgages and transfers for the same sums as are secured on mortgage. (The covenants in

mortgage-deeds and transfers of mortgages must, in future, be limited in the same manner as the mortgage securities themselves now are; for the new proviso under the head "Mortgage," making the stamp the limit where none is expressed, does not extend to covenants).

LEASE, or AGREEMENT FOR A LEASE, for any fine or premium—the same duty as in case of a conveyance.

Rent not exceeding 25*l.*0 2 6

Rent exceeding 25*l.*, and not exceeding 50*l.*0 5 0

" 50*l.* " 75*l.*0 7 6

" 75*l.* " 100*l.*0 10 0

" 100*l.*, for every 50*l.*, or part of 50*l.*0 5 0

In case of a lease of any mine or minerals, or other like property, at a variable royalty, but with a stipulation for a minimum sum or value per annum, ad valorem duty shall be paid on such dead rent.

Leases at corn-rents to be charged with ad valorem duty.

Where distinct rents are reserved to several lessors, being part owners, the duty shall be paid on the aggregate amount.

LEASE, or AGREEMENT FOR A LEASE, not otherwise charged in this schedule£1 15 0

Counterpart or duplicate of lease—the ad valorem duty, or 1*l.* 15*s.*, whichever is least.

Lease made in pursuance of a previous agreement, duly stamped ad valorem to the amount of 1*l.* or upwards£1 0 0

No ad valorem duty shall be charged on a penal rent.

*Progressive duty on leases, &c.—the ad valorem duty, or 1*l.*, whichever is least.*

MORTGAGE, including "any agreement, contract, bond, or other writing whatever, accompanied with a deposit of a title-deed or title-deeds or other instrument or writing relating to any property, matter, or thing, for making a mortgage, &c. of any lands, estate, or property comprised in such title-deed or deeds, instrument or writing, or for pledging or charging any such deed, instrument or writing, lands, estate, or property, matter, or thing, in law or equity, as a security, or whereby any such deed, &c., lands, &c., shall be made, or shall be or become charged or affected as a security in law or equity:"

Where the same respectively shall be made as a security for the payment of any definite and certain sum advanced or lent at the time, or previously due and owing, or forborne to be paid, being payable, Not exceeding 50*l.*£0 5 0

Exceeding 50*l.*, and not exceeding 100*l.*0 10 0

" 100*l.*, for every 100*l.*, or part of 100*l.*0 10 0

(The same provision in respect of mortgages for future advances to a limited amount, with the same exceptions, as in the old act; but)

If the total amount of the money secured, or to be ultimately recoverable thereon, shall be uncertain and without any limit, then the same shall be available as a security for such an amount as the ad valorem duty denoted by any stamp or stamps thereon will extend to cover. "Provided that if the same be stamped after the execution thereof by any party, it shall take effect as a charge or security for or in respect of any sum to which the stamp-duty so impressed thereon after such execution shall relate only from the day on which it shall be so stamped, and not before, as if the same had been then first executed; any law to the contrary thereof notwithstanding." And in such case, two of the Commissioners of Inland Revenue are to certify the day of stamping on the deed.

And where made to secure the transfer of any share in any of the government or parliamentary stocks or

funds, or in the stock and funds of the Bank of England or the Bank of Ireland, East India Company, South Sea Company, or any other company or corporation, in consideration of stock or money advanced or lent at the time &c.—*the ad valorem duty on the value of the stock or fund secured at the market price.*

Progressive duty on mortgages—the ad valorem duty, or 1l., whichever is least.

SETTLEMENT (as defined in the old act) of any definite and certain principal sum or sums of money, or any annuity, rent, or yearly sum, (whether charged on or to be invested in lands or not, and if charged on lands, whether to be raised at all events or not), or any definite and certain share or shares in any of the government or parliamentary stocks or funds, or in the stock and funds of the Governor and Company of the Bank of England or Bank of Ireland, East India Company, South Sea Company, or any other company or corporation,

Not exceeding 100l. £0 5 0

Exceeding 100l., for every 100l., or part of 100l. 0 5 0

And where, on the settlement of any land or lands, or heritable subjects, any sum or sums of money or stock shall be charged thereon, or any power given to charge any such lands, &c. with any sum or sums of money or stock for raising portions for children, or otherwise, the said ad valorem duty shall be charged in respect of such sum or sums.

And instruments charged with the said duty, containing any settlement of lands, or other property, or other matter besides the settlement of money or stock, shall be charged also with the duty payable on a separate instrument containing such additional matter, except progressive duty.

Where there are duplicates, one only to bear the ad valorem duty, the other to be charged as a separate deed.

Progressive duty on settlements—the ad valorem duty, or 1l. 5s., whichever is least.

WARRANT OF ATTORNEY to secure payment or transfer of money, stock, or shares—*the same duty as on a bond for the like purpose.*

Unless the ad valorem duty has been already paid on a bond or mortgage for the same purpose, or the defendant is in custody for the amount, and then £0 5 0

WARRANT OF ATTORNEY not otherwise charged in this schedule £1 15 0

By sect. 6, the penalty for stamping instruments after execution is increased to 10l., or the amount of the stamp required to be impressed, whichever is greater; and in lieu of the receipt for the penalty now in use, the instrument is to be stamped with a stamp denoting the payment of the penalty, and is to be inadmissible in evidence unless so stamped, (i. e. the judge at any trial must now see that the stamp for the penalty is impressed, if it appear that the instrument was not duly stamped before execution). But the commissioners may remit the penalty in certain cases, at their discretion, if the instrument is brought to be stamped within twelve months after execution. (It is not stated how the fact of such remission is to be proved, so as to render the instrument admissible in evidence without the stamp for the penalty).

The commissioners may direct the stamping, without penalty, of instruments executed abroad, and brought to be stamped within two calendar months from the time of arriving in the United Kingdom.

Sect. 8 repeals the restrictions in the 9 Geo. 4, c. 27, s. 4, upon vendors of receipt stamps, leaving them a liberty to charge such profits as they please. Some such measure was necessary to counteract the effect of the recent reduction of the allowance to vendors of

stamps, which has rendered receipt stamps almost as unattainable as Queen Anne's farthings.

Considered merely with reference to the operation of the stamp-duties as charges on the subject, the proposed act will effect a considerable improvement, by mitigating the gross inequality of the existing scale of ad valorem duties, and by relieving many small transactions from the exorbitant duties to which they are now liable. But even here less is done than might have been expected. The ad valorem duty on bonds and mortgages advances, after the first 100l. secured, by steps of 10s. each, while the duty on conveyances advances, up to a consideration of 175l., by steps of 2s. 6d.; and thence, up to a consideration of 500l., by steps of 5s.; from that point to 1000l., by steps of 15s.; and then by steps of 1l. The ad valorem duty on rents in leases differs from both, advancing by 2s. 6d. up to a rent of 100l., and then by steps of 5s.; while the scale of duties on settlements has a uniform difference of 5s. Now, the only reason for not adopting a scale of duties varying strictly in proportion to the value of the subject-matter, is the necessity of having a limited number of dies; but there can be no reason for applying to one class of instruments a scale founded on a different principle, or with more abrupt differences than are applied to another class of instruments, because the same dies may be used indifferently for all. Indeed, it is evident, that by the combination of two or three stamps, or by the use of very simple mechanical contrivances, the stamping of instruments upon a scale proceeding by differences of 1s. or less, might be readily effected.

The extension of the ad valorem duties to the values of shares in other "companies or corporations" than the Banks of England and Ireland, the East India Company, and the South Sea Company, will, we fear, produce great inconvenience. The values of such shares are to be accounted according to the average price during the ten days preceding the date of the instrument, or if there have been no sale within that period, then "on the latest day preceding on which there shall have been a known sale." The admissibility in evidence of important documents should not be made dependent on a criterion so vague and so liable to error, and so difficult of proof after the lapse of years, as this; nor should purchasers and others be put to the trouble and expense of inquiring into such matters, which, after all, can never be ascertained with certainty. The word "company" stands in need of definition.

The words imposing the ad valorem duty on conveyances are too extensive. They would include all arrangements between partners dissolving partnership, by which one takes a sum of money in lieu of his share, compositions with creditors, arrangements and compromises of family affairs, and disputed claims, &c. And the extension of the duty to considerations by way of annuity is expressed in terms which promise to be prolific of doubt and controversy. A different objection must be made to the charge of the ad valorem duty on considerations consisting of debts. Nothing can be more absurd and unjust than to treat a bad debt as a consideration of the same value as a good debt of the same nominal amount. The old stamp act merely charged the duty on debts charged on the property sold; and, even so limited, operated with great hardship in cases of deficient security. But the whole of the alterations under the head "Conveyance" in this bill, appear to have been very little or very ill considered.

By sect. 5, if any person shall have avoided, neglected, or omitted to pay, or shall hereafter avoid, &c. to pay any stamp-duty, or shall have received or shall receive any money for stamp-duty, and shall not apply the same accordingly, "or if any person shall write, make, or prepare, or cause or procure to be written, made, or

*prepared, or to be signed or executed, any deed or instrument liable to stamp-duty, and not duly stamped, every such person, in any and every such case, shall be accountable for the amount of such duty;" and the liability shall be enforced in the Court of Exchequer by rule, under which the party sought to be charged may be examined. Under the present law (which is a dead letter) a penalty of 5*l.* is imposed on the person ingrossing the deed. The effect of this clause would be to render every party and every solicitor concerned in the execution of a deed liable for the due stamping of it. Of course it will not be allowed to stand in its present form.*

The temporary loans on securities by deposit of deeds, dock warrants, &c., by which the mercantile transactions of the country are now so much facilitated, will be entirely stopped, if the proposed extension of the tax on mortgages is submitted to. Nothing can be more inexpedient and unjust than a tax on mortgages, which almost always either fetters the use of capital, or is a burthen upon a poor man or his creditors.

The ad valorem duty on money settlements was a clumsy and inefficient substitute for a tax on successions; and the extension of it in the present bill only provokes the inquiry why settlements of land are exempted.

The amendments effected by this bill, with respect to small transactions, will not, we hope, be accepted by the country as a bribe to permit the continuance of those rude, absurd, and vexatious restrictions on the use and transfer of property, which ought to be abolished without delay, and replaced by an equivalent addition to the income tax, or from some other less objectionable source. But if the stamp laws are to be endured for a few years longer, the least that ought to be required is, a thorough revision and consolidation of the whole body of them, and a settlement of the many perplexing doubts which have arisen upon them.

London Gazette.

TUESDAY, APRIL 2.

BANKRUPTS.

DAVID STEAD, formerly of George-street, Adelphi, Middlesex, but now a prisoner for debt in her Majesty's Prison, April 6 at 1, and May 4 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Scott, St. Mildred's-court, London.—Petition dated Nov. 13, 1849.

ANDREW PALMER, Great Hadham, Hertfordshire, grocer and druggist, dealer and chapman, April 12 at 1, and May 10 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Messrs. Clarke, Bishopsgate Churchyard.—Petition dated March 27.

HENRY SPILLER, St. John's-wood-terrace, St. John's-wood, St. Marylebone, Middlesex, slater, dealer and chapman, April 13 at half-past 12, and May 11 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Jaquet, 9, Clifford's-inn, London.—Petition dated March 28.

WILLIAM BARNES, late of Hungerford, Berkshire, but now a prisoner in her Majesty's County Gaol at Reading, auctioneer, builder, dealer and chapman, April 18 at 1, and May 10 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Cowper, Newbury, Berkshire; Wright & Kingsford, 23, Essex-st., Strand.—Petition filed March 23.

THOMAS WILLIAMS, Sandiway, Weaverham, Cheshire, innkeeper and corn dealer, April 11 and May 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Green, Northwich.—Petition dated March 23.

JOHN CROSTHWAITE, Liverpool, merchant, April 17 and May 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Lowndes & Co., Liverpool.—Petition dated March 30.

JOHN YOUNG, Manby, Lincolnshire, innkeeper, dealer and chapman, April 17 and May 8 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Ingoldby & Son, Louth; Blackburn, Leeds.—Petition dated March 19.

WILLIAM STUBBS, Chapel Allerton, Yorkshire, innkeeper, butcher, and cattle salesman, April 23 and May 6 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Payne & Co., Leeds.—Petition dated March 30.

JOHN HOWARD, Leeds, Yorkshire, cloth merchant, dealer and chapman, April 12 and May 24 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Bond & Barwick, Leeds.—Petition dated March 25.

MEETINGS.

Joseph F. Sporer, St. James's-street, Piccadilly, Middlesex, tailor, April 26 at 1, Court of Bankruptcy, London, pr. d.—

Jonathan Higginson and Richard Deane, April 25 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—Edward

Wolsey, Wersham, Norfolk, corn merchant, April 19 at 11, Court of Bankruptcy, London, last ex.—John Wm. Prior,

Newington-causeway, Surrey, silversmith, April 27 at 11, Court of Bankruptcy, London, last ex.—Richard Isman,

Manchester, ale and porter dealer, April 12 at 11, District Court of Bankruptcy, Manchester, last ex.—Charles Lewis,

Stangate-street, Lambeth, Surrey, tin-plate manufacturer, April 25 at half-past 11, Court of Bankruptcy, London, and. ac.; April 26 at 11, div.—Hugh Biers, Carlton-villas, Edge-

ware-road, Paddington, Middlesex, builder, April 25 at 11, Court of Bankruptcy, London, and. ac.—Wm. Lee, King's

Mills-wharf, Rotherhithe, Surrey, barge builder, April 19 at 11, Court of Bankruptcy, London, and. ac.—J. W. Jackson,

Colchester, Essex, coal merchant, April 19 at half-past 11, Court of Bankruptcy, London, and. ac.—Wm. Mountford,

Darlington, Durham, tailor, April 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—Jackson Prince,

Coahoe, Durham, grocer, April 23 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—James

B. Rodway, Birmingham, commission agent, April 15 at 11, District Court of Bankruptcy, Birmingham, and. ac.—J. T.

Bourne, Dilhorn, Staffordshire, earthenware dealer, April 20 at half-past 1, District Court of Bankruptcy, Birmingham,

and. ac.—Joseph Stevens the younger, Coalbournbrook, Old-

swinsford, Staffordshire, glass manufacturer, April 15 at 11, District Court of Bankruptcy, Birmingham, and. ac.—Ben-

jamin Hewitt, Burton-upon-Trent, Staffordshire, licensed vic-

tualler, April 15 at 10, District Court of Bankruptcy, Birming-

ham, and. ac.—J. Crisp the younger, Beccles, Suffolk, corn

merchant, April 25 at 12, Court of Bankruptcy, London, div.—T. Greenhow and C. Foster, Old-st., St. Luke's, and St.

John-st., Clerkenwell, Middlesex, distillers, April 23 at 11, Court of Bankruptcy, London, div.—Ann Akhurst, East

Malling, Kent, baker, April 30 at 12, Court of Bankruptcy, London, fin. div.—Thomas Carter, Reading, Berkshire,

jeweller, April 30 at 1, Court of Bankruptcy, London, fin. div.—Charles Poile, Rye, Sussex, merchant, April 23 at 2,

Court of Bankruptcy, London, div.—Thos. Norton Brown,

Fetter-lane, London, pawnbroker, and Throgmorton-street,

London, stockbroker, April 23 at 1, Court of Bankruptcy,

London, div.—William Fay, Bath, Somersetshire, innkeeper,

April 26 at 12, District Court of Bankruptcy, Bristol, div.—William Hand, Mollleston, Pembrokeshire, coal merchant,

April 24 at 11, District Court of Bankruptcy, Bristol, fin. div.—Robert Spencer, Newcastle-upon-Tyne, scrivener, April

23 at half-past 10, District Court of Bankruptcy, New-

castle-upon-Tyne, fin. div.—Abel Uglow, St. Thomas the

Apostle, Cornwall, miller, April 23 at 11, District Court of

Bankruptcy, Exeter, div.—Peter Walker, Gee Cross, Stock-

port, Cheshire, cotton waste dealer, April 24 at 11, District

Court of Bankruptcy, Manchester, div.—Charles Dugard

Makepeace and Robert Strong, Birmingham, screw manufac-

turers, April 24 at 12, District Court of Bankruptcy, Birm-

ingham, div.—M. Mundy, Barking Churchyard, London,

tailor, April 30 at 12, Court of Bankruptcy, London, and. ac.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Byford Spencer, South Bemfleet, near Rayleigh,

Essex, baker, April 26 at half-past 1, Court of Bankruptcy,

London.—Jonathan Lucas, Aldgate High-street, St. Botolph,

Aldgate, London, licensed victualler, April 25 at 11, Court of

Bankruptcy, London.—George Woods, Portsea, Southamp-

ton, saddler, April 25 at half-past 12, Court of Bankruptcy,

London.—Robert Skinner, West Malling, Kent, brickmaker,

April 25 at half-past 11, Court of Bankruptcy, London.—

George Pierson Hutchison, Crawford-st., Marylebone, Mid-

dlesex, grocer, April 25 at 11, Court of Bankruptcy, London.

—*Valentine Rimell*, Hammersmith, Middlesex, timber merchant, April 26 at 1, Court of Bankruptcy, London.—*Robert Kennet*, Broadway, Westminster, and Wilton-mews, and 10, Wharf, Wilton-road, Fimliss, Middlesex, licensed victualler, April 24 at 12, Court of Bankruptcy, London.—*Jas. Ellis*, Cremorne-house, Chelsea, Middlesex, licensed victualler, April 25 at 11, Court of Bankruptcy, London.—*Samuel Stead*, Bradford, Yorkshire, druggist, April 23 at 12, District Court of Bankruptcy, Leeds.—*John Cogan Francis*, Castle Cary, Somersetshire, corn factor, May 6 at 11, District Court of Bankruptcy, Bristol.—*Juliet Annie Winder*, Pendleton, Lancashire, draper, April 25 at 12, District Court of Bankruptcy, Manchester.—*John Harrington*, Manchester, commission agent, April 25 at 11, District Court of Bankruptcy, Manchester.—*Wm. Rathery*, Wortley, Leeds, clothier, April 25 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Wm. Patrick, Farnham, Surrey, builder.—*Joseph Cadman*, Pontypool, Monmouthshire, wine dealer.—*Thos. Pain Hilder*, Kingsnorth, Kent, dealer in hops.—*John Slaney*, Wellington-place, Hackney, Middlesex, and Skinner-street, St. Botolph, Bishopsgate, London, cabinet maker.—*Thos. Cox and Thos. Whiles*, Hanley, Staffordshire, drapers.—*John Jackson*, South Shields, Durham, common brewer.—*Joshua Sim*, Cockermouth, *Joseph Sim*, and *Daniel Sim*, Braithwaite, Cumberland, woollen manufacturers.

SCOTCH SEQUESTRATION.

James Christie, Glasgow, accountant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Samuel Dornings, Swinton, Lancashire, out of business, April 29 at 12, County Court of Lancashire, at Salford.—*Thomas Hawkins*, Birmingham, builder, April 22 at 2, County Court of Warwickshire, at Birmingham.—*Benjamin Manning*, Kidderminster, Worcestershire, furniture broker, April 17 at 9, County Court of Worcestershire, at Kidderminster.—*John Terry*, West Malling, Kent, shoemaker, April 13 at 12, County Court of Kent, at Maidstone.—*Henry Burr*, Maidstone, Kent, plumber, April 13 at 12, County Court of Kent, at Maidstone.—*John Cowell*, Newcastle-upon-Tyne, blacksmith, April 17 at 10, County Court of Northumberland, at Newcastle.—*Michael Moore*, Gateshead, Durham, waiter, April 22 at 10, County Court of Durham, at Gateshead.—*T. Hill*, Ipswich, Suffolk, grocer, April 26 at 10, County Court of Suffolk, at Ipswich.—*W. Remison*, Gateshead, Durham, licensed victualler, April 22 at 10, County Court of Durham, at Gateshead.—*James Felgate*, Dedham, Essex, edge-tool maker, April 26 at 10, County Court of Suffolk, at Ipswich.—*William Suthers* the younger, Ipswich, Suffolk, tobacconist, April 26 at 10, County Court of Suffolk, at Ipswich.—*Robert Clarke*, Earl Stonham, Suffolk, machine-maker, April 26 at 10, County Court of Suffolk, at Ipswich.—*James Reeves*, Ipswich, grocer, April 26 at 10, County Court of Suffolk, at Ipswich.—*Myer Fishell*, Bath, watchmaker, April 6 at 11, County Court of Somersetshire, at Bath.—*Samuel Hill*, Rodborough, Gloucestershire, cordwainer, April 17 at 10, County Court of Gloucestershire, at Stroud.—*John Coles*, Northampton, hay dealer, April 17 at 2, County Court of Northamptonshire, at Northampton.—*Hugh McHarg*, Hexham, Northumberland, out of business, April 19 at 11, County Court of Northumberland, at Hexham.—*Henry John Lea*, Derby, gentleman, April 20 at 11, County Court of Derbyshire, at Derby.—*William Leslie*, Derby, draper, April 20 at 11, County Court of Derbyshire, at Derby.—*Hiram Crompton Booth*, Bradford, Yorkshire, photographic artist, April 27 at 11, County Court of Yorkshire, at Bradford.—*Joseph Binns*, Bolton, near Bradford, Yorkshire, cloth weaver, April 27 at 11, County Court of Yorkshire, at Bradford.—*Ann Rhodes*, Bradford, Yorkshire, milliner, April 27 at 11, County Court of Yorkshire, at Bradford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 16 at 11, before Mr. Commissioner HARRIS.

Robert Henry Watson, Eldon-place, Vauxhall, Surrey, re-

gistered smoke propeller manufacturer.—*William Daniel Pye*, Lower William-street, Portland New-town, Middlesex, tailor.—*John Lucas*, Bridgewater-street, Clarendon-square, Middlesex, labourer at the Camden-town Station of the London and North-western Railway.—*James Smith*, St. George's-place, Walworth-road, Newington, Surrey, cabinet maker.

April 16 at 10, before Mr. Commissioner LAW.

David Alvares, Patriot-square, Cambridge-heath, Middlesex, out of business.—*James Thomas Turner*, Marylebone-lane, Middlesex, out of employment.

April 17 at 11, before the CHIEF COMMISSIONER.

Thomas Gillett, Woolwich, Kent, grocer.—*John Cam*, Virginia-row, Bethnal-green, Middlesex, baker.—*William Barratt Evans*, Coburg-street, Clerkenwell, Middlesex, iron-plate worker.

April 17 at 10, before Mr. Commissioner LAW.

Arthur Dyson, Chiswell-st., Finsbury, Middlesex, printer.

April 18 at 11, before the CHIEF COMMISSIONER.

David Nutt, Stratford-green, Stratford, Essex, clerk in an emigration office.

Saturday, March 30.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

James Thomas Banks, Bexley, Kent, plumber, No. 43,718 T.; *Samuel Sturges*, gent., new assignee, in place of *Nathan Levy*, removed.—*John Lavender Gray*, Great Rider-street, Westminster, Middlesex, tailor, No. 61,236 T.; *George Turner*, assignee.—*Susannah Vearey*, Lambeth-walk, Lambeth, Surrey, baker, No. 61,343 T.; *William Podger*, assignee.—*Robert Read* the younger, Newport, Isle of Wight, Hants, tailor, No. 71,960 C.; *George Turner*, assignee.—*Charles Butterfield*, Leeds, Yorkshire, lime dealer, No. 72,087 C.; *Walker Smith*, assignee.—*Benjamin Styck*, Birmingham, tool maker, No. 72,101 C.; *George Aston*, assignee.

Saturday, March 30.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Charles Bates, Fox's-lane, Shadwell, Middlesex, foreman at a wharfinger's: in the Debtors Prison for London and Middlesex.—*Jas. Lipscomb*, Lindsay-pl., Chelsea, Middlesex, farmer: in the Debtors Prison for London and Middlesex.—*Frederick Mattam*, Aldridge's Repository, St. Martin's-lane, Middlesex, auctioneer: in the Queen's Prison.—*Thomas W. Cooper*, Clifton-road, Asylum-road, Old Kent-road, Surrey, brewer's collector: in the Debtors Prison for London and Middlesex.—*Rebecca A. Daly*, Cumberland-market, Regent's-park, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*S. B. Ambrose*, Charlewood-st., Vauxhall-road, Surrey, not in any trade: in the Debtors Prison for London and Middlesex.—*Jas. Codrington*, Drury-lane, Middlesex, out of employment: in the Debtors Prison for London and Middlesex.—*William Grimstone*, Herbery, Highgate, and Oxford-st., Middlesex, snuff manufacturer: in the Queen's Prison.—*Alfred John Kilby*, Brook-street, West-square, Lambeth, Surrey, milkman: in the Queen's Prison.—*Warwick Guy*, Endellion, Cornwall, farmer: in the Gaol of Bodmin.—*Henry D. Luckman*, Strangeways, Manchester, accountant: in the Gaol of Lancaster.—*Wm. B. Pattinson*, Rock-ferry, near Liverpool, not in any business: in the Gaol of Lancaster.—*George Collin*, Rawhead, New Hutton, near Kendal, Westmoreland, farmer: in the Gaol of Lancaster.—*Israel Tombs*, West Mills, Newbury, Berkshire, horse dealer: in the Gaol of Reading.—*James Collins*, Bexley-heath, Croydon, Kent, out of business: in the Gaol of Maidstone.—*Joshua Bingley Gray*, Plumstead-common, Plumstead, Kent, auctioneer: in the Gaol of Maidstone.—*Richard Coppen*, Shepperd's Wells, near Dover, Kent, carpenter: in the Gaol of Maidstone.—*Alex. Watson*, Plumstead-place, Plumstead, near Woolwich, Kent, out of business: in the Gaol of Maidstone.—*Thomas Lee*, Tipton, Staffordshire, boatman: in the Gaol of Stafford.—*Thomas Smith*, Smethwick, Harbours, Staffordshire, retailer of beer: in the Gaol of Stafford.—*James Julness*, Lynn Regis, Norfolk, assistant to a marine store dealer: in the Gaol of Newcastle-upon-Tyne.—*James Henderson*, Newcastle-upon-Tyne, publican: in the Gaol of Newcastle-upon-Tyne.—*William Edgar*, Newcastle-upon-Tyne, innkeeper: in the Gaol of Newcastle-upon-Tyne.—*William Kimber*, Bourton-on-the-Water, Gloucestershire, in no trade:

in the Gaol of Gloucester.—*Charles Jackson*, Moulsham, Chelmsford, Essex, carpenter: in the Gaol of Springfield.—*Joseph Woodhead*, Waterloo, Pudsey, near Leeds, Yorkshire, cloth miller: in the Gaol of York.—*Thomas Outhwaite*, Scorton, near Catterick, Yorkshire, farmer: in the Gaol of York.—*John K. French*, Huddersfield, Yorkshire, salesman: in the Gaol of York.—*Wm. Shaw*, Meltham, near Huddersfield, Yorkshire, clothier: in the Gaol of York.—*George Metcalfe*, Hutton Cranswick, near Driffield, Yorkshire, wheelwright: in the Gaol of York.—*Ashley J. Petty*, Southampton, French polisher: in the Gaol of Winchester.—*Thomas F. Cape*, Dartford, Kent, veterinary surgeon: in the Gaol of Maidstone.—*Wm. Davies*, Liverpool, accountant: in the Gaol of Lancaster.—*Robert Wm. Marshall*, Openshaw, near Manchester, whip manufacturer: in the Gaol of Lancaster.—*James Smith*, North Shields, Northumberland, licensed victualler: in the Gaol of Newcastle-upon-Tyne.—*Thomas Marshall* the younger, Barnstaple, Devonshire, hatter: in the Gaol of St. Thomas the Apostle.—*Samuel S. Dicker*, Highweek, near Newton Bushe, Devonshire, carpenter: in the Gaol of St. Thomas the Apostle.—*Saml. Ward*, Stanningley, near Leeds, Yorkshire, cloth weaver: in the Gaol of York.—*Wm. Heslop*, Mirfield, near Dewsbury, Yorkshire, joiner: in the Gaol of York.—*Wm. B. East*, Bury St. Edmund's, Suffolk, jeweller: in the Gaol of Bury St. Edmund's.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 16 at 10, before Mr. Commissioner LAW.
Solomon Green, Rahere-st., Goswell-street-road, Middlesex, clerk to a lamp manufacturer.

April 17 at 10, before Mr. Commissioner LAW.
Adjourned Case.

James Kite, Wilton-terrace, New North-road, Hoxton, Middlesex, coal merchant.

April 18 at 11, before the CHIEF COMMISSIONER.
Thomas W. Cooper, Clifton-road, Asylum-road, Old Kent-road, Surrey, brewer's collector.—*Wm. Hay*, Bedford-place, Rotherhithe, Surrey, master mariner.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY,
April 18 at 2.

Henry Miles, Coventry, ribbon manufacturer.—*S. Burden*, Briery-hill, grocer.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, April 17 at 10.

Wm. Edgar, Limerick, Ireland, bombardier in the Royal Horse Artillery.—*Jas. Juiness*, Lynn Regis, Norfolk, assistant marine store dealer.—*James Henderson*, Newcastle-upon-Tyne, publican.—*James Smith*, North Shields, licensed victualler.

At the County Court of Essex, at CHELMSFORD, April 16.
Stripping Clark, Dedham, near Colchester, butcher.—*Chas. Jackson*, Moulsham, Chelmsford, carpenter.

At the County Court of Derbyshire, at DERBY, April 20 at 11.

James Payne, Litchurch, ostler.

At the County Court of Kent, at MAIDSTONE, April 13.
Thomas Frow Cape, Dartford, veterinary surgeon.—*James Collins*, Bexley-heath, out of business.

FRIDAY, APRIL 5.

BANKRUPTS.

PHILEMON AUGUSTINE MORLEY, Great Bridge, Staffordshire, iron manufacturer, April 24 and May 15 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Petition dated April 1.

WILLIAM WALKER, Mansfield, Nottinghamshire, innkeeper, dealer and chapman, April 19 and May 17 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Hodgson, Birmingham.—Petition dated March 30.

ELIAS BRIMSON, Tiverton, Devonshire, grocer, draper, and general-shop keeper, April 17 and May 7 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Forwood, Tiverton; Turner, Exeter.—Petition filed April 3.

JOSEPH NYE, formerly of Mill-pond-wharf, Surrey-canal, but now a prisoner in Horse-monger-lane Prison, Surrey, pumpmaker and machinist, dealer and chapman, April 13 at 1, and May 11 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Jones, 190, Tooley-street, Southwark.—Petition dated March 23.

WILLIAM GORDON, Gloucester, dealer in Berlin wools, dealer and chapman, April 20 and May 18 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Beavan & Beavan, Bristol; Lawrance & Plews, London.—Petition filed March 9.

THOMAS LEWIS, Exeter, boot and shoe maker, April 17 and May 7 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sol. Hooper, Exeter.—Petition filed March 30.

THOMAS WILLIAM SPENCER, Devonport, Devonshire, draper, dealer and chapman, April 16 and May 8 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Herniman; Sols. Elworthy, Plymouth; Stogdon, Exeter.—Petition filed March 25.

JULIUS, otherwise **JULES GEORGE GEYELIN**, Liverpool, zinc worker, dealer and chapman, April 16 and May 13 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sol. Horner, Liverpool.—Petition dated March 23.

MEETINGS.

Samuel Watkins Saunders, Park-road, Brixton, Surrey, engineer, April 16 at 1, Court of Bankruptcy, London, pr. d.—*Henry Craske*, Wickham Skeith, Suffolk, grocer, May 2 at 1, Court of Bankruptcy, London, last ex.—*Maurice Jones*, Delamere, Cheshire, livery-stable keeper, April 17 at 12, District Court of Bankruptcy, Liverpool, last ex.—*John Henderson Musgrave*, Eastcott-place, Ferdinand-street, Hampstead-road, Middlesex, embroiderer, May 2 at 12, Court of Bankruptcy, London, aud. ac.—*Robt. King*, Oxford, coal merchant, April 27 at half-past 12, Court of Bankruptcy, London, aud. ac.—*T. Dams*, Hastings, Sussex, builder, April 20 at 12, Court of Bankruptcy, London, aud. ac.—*Hamlet Durose*, Woodsetton, near Sedgley, Staffordshire, surveyor, April 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Charles Dugard Makepeace* and *Robert Strong*, Birmingham, screw manufacturers, April 23 at 12, District Court of Bankruptcy, Birmingham, aud. ac. separate estate of *Robert Strong*.—*John Phillips*, Upper Bullingham, Herefordshire, banker, April 24 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; May 1 at 12, div.—*James Morris*, Bath, Somersetshire, licensed victualler, April 18 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Thomas Knight*, Bristol, silversmith, April 18 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Wm. Cornish*, Bristol, cabinet maker, April 18 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*T. P. Collins*, Bristol, tailor, April 26 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*A. Armstrong*, Salford, Lancashire, ironmonger, April 17 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Peter Walker*, Stockport, Cheshire, cotton waste dealer, April 17 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Andrew Paton Halliday* and *Eliza Paton*, Cornbrook, Hulme, Manchester, manufacturing chemist, April 25 at 12, District Court of Bankruptcy, Manchester, aud. ac.; April 26 at 12, div.—*Robert M'Dowell Brown*, Sheffield, Yorkshire, merchant, April 20 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Edw. Sewell*, Old Bond-street, Middlesex, hatter, May 2 at 2, Court of Bankruptcy, London, div.—*W. A. Reeves*, Maidstone, Kent, cabinet maker, April 29 at half-past 12, Court of Bankruptcy, London, div.—*Thomas Rowan*, Cambridge, draper, April 29 at half-past 11, Court of Bankruptcy, London, div.—*John Ellison*, Selby, Yorkshire, linendraper, April 26 at 11, District Court of Bankruptcy, Leeds, div.—*Wm. Hague*, Saml. Hague, and *Wm. Shatwell*, Manchester, commission agents, April 15 at 12, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

B. Julian and *John Julian*, New Buckenham, Norfolk, grocers, April 27 at 2, Court of Bankruptcy, London.—*Saml. Mullen*, Ironmonger-lane, Cheap-side, London, hotel keeper, May 2 at 11, Court of Bankruptcy, London.—*Thos. Marshall*, Hatfield-street, Surrey, licensed victualler, April 27 at 1, Court of Bankruptcy, London.—*Edw. C. Hawkins*, Bath, Somersetshire, beer retailer, May 6 at 11, District Court of

Bankruptcy, Bristol.—*S. Glenny*, Liverpool, corn and commission merchant, April 26 at 11, District Court of Bankruptcy, Liverpool.—*Samuel Rodgett*, Blackburn, Lancashire, iron-founder, April 29 at 12, District Court of Bankruptcy, Manchester.—*Robt. Knight*, Lancaster, tea dealer, April 30 at half-past 12, District Court of Bankruptcy, Manchester.—*Samuel Gibson*, York, licensed victualler, April 26 at 11, District Court of Bankruptcy, Leeds.—*Thomas Don*, Swinton Iron-works, Yorkshire, April 26 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Henry Brower, Manchester, fancy box manufacturer.—*J. Muckleston* the younger, Shrewsbury, Shropshire, grocer.—*John Bowers*, *Joseph Bowers*, and *Sarah Ann Bowers*, Worcester, grocers.—*John Bickerton*, Newtown, Montgomeryshire, flannel draper.

PARTNERSHIPS DISSOLVED.

Thos. Leeming and *George Richardson*, Manchester, attorneys and solicitors.—*Alfred B. Sheppard* and *James Murray Dale*, Lincoln's-inn-fields, Middlesex, solicitors.—*William Elletson* and *Alexander Liddell*, Poulton, Lancashire, attorneys and solicitors.—*James C. Fenton*, *Frederick Robt. Jones* the younger, and *James Armitage*, Huddersfield, Yorkshire, attorneys and solicitors, (under the style or firm of *Fenton, Jones, & Armitage*).

SCOTCH SEQUESTRATIONS.

John Smith, Banff, writer.—*The Honourable Chas. Grimston*, Glenmoidart, Inverness-shire, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Moses Taylor, Highworth, Wiltshire, out of business, April 19 at 11, County Court of Wiltshire, at Swindon.—*Robert D. Rogers*, Southsea, Hampshire, beer-house keeper, April 25 at 10, County Court of Hampshire, at Portsmouth.—*Charles W. Fleming*, Landport, Portsea, and Cosham, Wymering, Southampton, hairdresser, April 25 at 10, County Court of Hampshire, at Portsmouth.—*James Wilson*, Alton, Southampton, tailor, April 20 at 11, County Court of Hampshire, at Alton.—*Arthur Webb*, Northwood, Isle of Wight, Hampshire, post-office contractor, April 24 at 10, County Court of Hampshire, at Newport.—*John Lockwood*, Denby-dale, Yorkshire, joiner, April 19 at 12, County Court of Yorkshire, at Barnsley.—*George S. Billvoes*, West Cowes, Isle of Wight, Hampshire, tinman, April 24 at 10, County Court of Hampshire, at Newport.—*William Barker*, Melbourn, Cambridgeshire, butcher, April 22 at 1, County Court of Hertfordshire, at Royston.—*Thomas Shaw*, Manchester, machinist, April 12 at 1, County Court of Lancashire, at Manchester.—*J. Edmondson*, Hulme, Manchester, warehouseman, April 19 at 1, County Court of Lancashire, at Manchester.—*John Braddock*, Chorlton-upon-Medlock, Manchester, hairdresser, April 12 at 1, County Court of Lancashire, at Manchester.—*John Bayley*, Stourbridge, Worcestershire, licensed victualler, April 15 at 10, County Court of Worcestershire, at Stourbridge.—*Elias T. Warry*, Alvington, near Yeovil, Somersetshire, in no business, April 17 at 10, County Court of Somersetshire, at Yeovil.—*Hannah Weller*, Bletchington, near Gosford, Oxfordshire, tailor, April 29 at 2, County Court of Oxfordshire, at Bicester.—*Henry Steward*, Coldmore, Walsall, Staffordshire, in no trade, April 12 at 12, County Court of Staffordshire, at Walsall.—*Mary A. Damant*, widow, Mildenhall, Suffolk, plumber, April 30 at 10, County Court of Suffolk, at Mildenhall.—*Charles Cream*, Eye, Suffolk, attorney at law, April 22 at 2, County Court of Suffolk, at Eye.—*Samuel Lodge*, Bungay Holy Trinity, Suffolk, wherryman, April 23 at 1, County Court of Suffolk, at Beccles.—*John Groom*, Hessett, Suffolk, parish clerk, April 22 at 10, County Court of Suffolk, at Stowmarket.—*J. Hebblethwaite*, Wooldale, Kirkburton, Yorkshire, cloth manufacturer, April 22 at 11, County Court of Yorkshire, at Holmfirth.—*Adam D. Hawthorn*, Canterbury, Kent, shoemaker, April 10 at 11, County Court of Kent, at Canterbury.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 20 at 11, before Mr. Commissioner PHILLIPS.

Francis Robinson, Red Lion-st., Holborn, Middlesex, out

of business.—*Joseph Dierden*, George's-grove, Holloway, Middlesex, tunnel excavator.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 19 at 11, before Mr. Commissioner HARRIS.

John George Blackall, Windsor-terrace, City-road, Middlesex, out of business.—*Charles Bates*, Fox's-lane, St. Paul, Shadwell, Middlesex, foreman at a wharfinger's.—*J. Mason*, Onslow-cottage, Fulham-road, Brompton, Middlesex, veterinary surgeon.—*Charles Loder*, Virgil-place, New-road, Marylebone, Middlesex, coal dealer.

April 19 at 10, before Mr. Commissioner LAW.

John M'Keand, Gloucester-terrace, New-road, Commercial-road, Middlesex, linendraper.

April 22 at 11, before the CHIEF COMMISSIONER.

Robert Franklin, Green-st., Paddington, Middlesex, cab proprietor.—*James Watson*, Fleet-street and Holborn-hill, London, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Sussex, at LEWES, April 23.

John Stapley, Brighton, corn dealer.

At the County Court of Hampshire, at WINCHESTER, April 23.

Ashley James Petty, Southampton, French polisher.

At the County Court of Suffolk, at BURY ST. EDMUND'S, April 29 at 10.

Wm. Bradbury Last, Bury St. Edmund's, jeweller.

INSOLVENT DEBTOR'S DIVIDEND.

Alexander Macpherson, Marlborough-place, Kennington, clerk in a fire-office, at Hume & Bird's, 10, Great James-st., Bedford-row: 20s. in the pound.

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The Jurist

No. 692—VOL. XIV.

APRIL 13, 1850.

PRICE 1s.

* * * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

House of Lords	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Queen's Bench { G. J. P. SMITH, Esq. of the Inner Temple; and
Privy Council	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	W. B. BRETT, Esq. of Lincoln's Inn, Barristers at Law.
The Lord Chancellor's Court	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Queen's Bench Bail Court { H. PELLY HINDE, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court {	G. Y. ROBSON, Esq. of the Inner Temple, Barrister at Law.	Court of Common Pleas, including Appeals under Registration of Voters Act.... { W. PATERSON, Esq. of Gray's Inn; and
Vice-Chancellor of England's Court	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	J. R. BULWER, Esq. of the Inner Temple, Barristers at Law.
Vice-Chancellor Knight Bruce's Court.....	{ W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.	Court of Exchequer { W. M. BEST, Esq. of Gray's Inn, Barrister at Law.
Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Ecclesiastical and Admiralty Courts { J. P. DEANE, D.C.L. of Doctors' Commons.
		Cases in Bankruptcy.... { W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.
		Crown Cases Reserved.. { ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, APRIL 13, 1850.

OUR readers will not fail to have observed the largeness of the majority which, on Wednesday last, carried in the House of Commons the second reading of the County Courts Extension Bill. Striking as that majority was, significant as it was of the popular wish, it was scarcely more to be remarked than the extreme want of argument, and the extreme abundance of declamation, on the side of the party opposing the bill. First, it was said there would be danger, if the experiment turned out unproductive of injury, that it would be carried further; next, that there would be no Bar, or no regular Bar, attending the county courts, and justice could not be steadily administered without a Bar; then, if there was a Bar, the objects of the bill would be defeated: so that to be without a Bar was the vice of the courts to be apprehended, and yet to have a Bar would not cure the mischief. Then there was the usual imputation of motives, as though the whole bill had been got up by county court judges and county court clerks in order to obtain larger salaries. Nor was there wanting the solemn warning that is so often addressed to the House, foretelling endless confusion and endless mischief if the voice of the speaker is not listened to. Then, to crown all, there was the superantique argument, "If you are to have a jurisdiction of 50*l.*, why not 55*l.*? If 55*l.*, why not 100*l.*?—why not 1000*l.*?"

All this sort of language it is lamentable to hear from the lips of men who are old enough, and learned enough, and, if they would not wilfully shut the eyes of their minds, really wise enough to know better. So, however, it is, so it always has been, and probably so it ever will

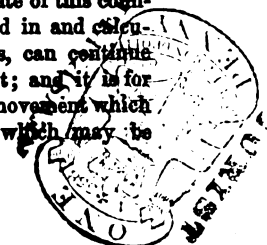
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be, when ideas which have become fixed, no matter how, are assailed.

Now, to plunge at once into the middle of the question, what is it that some lawyers, we will not say the lawyers generally, are afraid of? And if there is anything to be really afraid of, what is the course they are taking to avert the danger? We will answer for them. They are afraid of a legal revolution, and, without power to avert it, they are letting the conduct of it slip from theirs into other hands.

Who that has noticed the growth during the last twenty years, the rapid growth during the last ten years, of the desire of the people of this country for a less concentrated and a less expensive judicature—who that has seen the County Courts Act pass, and the county courts in full operation, can shut his eyes to the fact, that in this, the third state of our material civilisation, the want, the demand, and, we may add, the right of the people, is to have an administration of justice which shall adapt itself to that new state of commerce which has for its principle multiplied small operations, instead of a few gigantic ones; and, as it is phrased, quick returns with small profits, in lieu of slow returns and high profits? This is not the place to discuss whether that new state of commerce is or is not for the benefit of the country. That the change has taken place is beyond contest; it is a fait accompli; and the question remaining to be solved is, whether, such being the commercial state of this country, its judicial establishments, devised in and calculated for a very different state of things, can continue unaltered. It is clear that they cannot; and it is for the lawyers, not attempting to resist a movement which is irresistible, to attempt to do that which may be done, viz. to regulate its course.



It is not unimportant to the public, that, in matters of legal reform, the Profession should, instead of opposing them, take an interest in their success, and take part in the arrangement of their principles and details. And as it is not to be expected that men, in any profession, should take an interest in and facilitate the destruction of a system which they think favourable to their interests, if they think they can stay such destruction, it is not unimportant, for the interests of both the Profession and the public, that the Profession should look at this question in what we humbly conceive is its true light, viz. that to sustain the actual system of administering law for demands above 20*l*. and under 50*l*. is impossible. To remodel it, either by simplification of procedure in the superior courts, or by giving a jurisdiction to the county courts, accompanied with such wholesome regulations as may enable the public to have good law as well as speedy law in those courts, may be possible, if the Profession will, at this juncture, stand forward to lead, not to obstruct, the reform.

Now, if we had been asked to contrive something which would, while benefiting the public, repair to the Profession the damage done to it by the establishment of the county courts, we should have said, "Extend the jurisdiction of the county courts; extend it to that point where the pressure of the heavy expense of proceeding in the superior courts makes actions at law so onerous—so certain to produce, in all but a few quite exceptional cases, loss to the winning side, that no man is more than once so foolish as to bring an action."

Mr. Amos, in the pamphlet to which we referred last week, mentions two cases, which we will quote in his own words:—

"The author wrote to a friend, whom he knew to have been recently a successful defendant in an action brought against him to recover 42*l*., desiring particulars of his costs. The question in dispute was, whether the plaintiff had or had not sold to the defendant a certain quantity of a chemical preparation. The gentleman replied, that his own *taxed* costs (which the plaintiff paid) were 80*l*., and his *extra* costs (which he, the successful defendant, paid) were 67*l*. The result of this suit illustrates a passage in Juvenal, descriptive of the termination of the suit of *Stoily v. Verres*:—

'At tu, victrix Provincia, ploras.'

"The author's friend writes, that he was afterwards told by the plaintiff, (probably the parties to the suit were restored to amity by their common misfortune), that the law-suit cost him 300*l*. And he concludes his letter by observing, 'It is clear that a victory so dearly purchased would make me hesitate about appealing to a remedy so costly as the law, should a similar imposition be attempted again to be practised upon me. You may be certain also of my taking a deep interest in the principle of the county courts being extended to 50*l*., or any larger amount.'

"The reader may be desirous of being furnished with the particulars of the costs, in some very recent case, of a demand between 20*l*. and 50*l*., in which the plaintiff should have succeeded, and which should be of a commonplace description. The author is enabled to state the following circumstances relative to an

action for the bill of a surgeon and apothecary, who sued his patient for 42*l*.:—The defendant paid 25*l*. into court, which had been previously tendered; and thus the sum in dispute was reduced to 17*l*. The plaintiff called eleven witnesses, and the defendant four. Nearly all, if not quite all, these witnesses would have been dispensed with had the parties to the suit been examinable; nor would either of these parties have hesitated for a moment to abide by the other's statement of the facts within his knowledge. The jury, after a noisy altercation for two hours, found that 40*l*. was due to the plaintiff, and that 25*l*. had been tendered. The medicines supplied amounted to 3*l*. 6*s*. 6*d*. The plaintiff's charge was at the rate of 1*l*. 1*s*. a visit, which the jury allowed, striking off 2*l*. from the total, for reasons best known in the jury-room. The defendant contended that 5*s*. a visit, and medicine extra, or 7*s*. 6*d*., and at most 10*s*. 6*d*. a visit, was the proper and usual charge of a general practitioner. The costs were taxed the day before this page is written. The plaintiff proved, on oath, costs to the amount of 158*l*. 1*s*. 3*d*. After a hard struggle in the Master's office, these costs were taxed at 103*l*. 1*s*. 7*d*., thus leaving the plaintiff to pay 55*l*. 0*s*. 2*d*. on the issue found for him. On the issue of a *tender*, the costs taxed for the defendant were 4*l*. 11*s*.; so that the plaintiff lost, upon this calculation, 59*l*. 11*s*. 2*d*. He recovered 40*l*., 25*l*. of which he might have had without litigation; so that, on the whole, his ascertained loss on gaining the cause was 19*l*. 11*s*. 2*d*.; besides which, the loss by extra costs between attorney and client must be added; making it probable that this conqueror paid more than thrice what he received from his fallen adversary."

Now, these are not exceptional, they are every-day cases; and it is wholly absurd to call an administration of law, which cannot be had except on such terms, an administration of justice. It is a judicial interference with private vengeance, and scarcely anything more; but justice it is not, in any practical and commercial sense. Hence the imperative cry of the public for a different procedure.

With regard to demands extending to the sum of 50*l*., as that is really a considerable amount, commercially speaking, and an amount frequently secured, or intended to be secured, by legal contracts or customs involving difficult questions, it is no doubt desirable that such cases should be conducted by educated lawyers; and the presence of a Bar, and of attorneys of the higher class, should be, for the benefit of the public, secured, or at least accessible. Any fear, if such regulations are made as to justify parties in employing counsel and educated attorneys, that the extension of the county court jurisdiction to 50*l*. will destroy, or even injure, the business of professional men, we hold to be quite chimerical. The business now done in the superior courts will be transferred, and a great deal more will be added. The mode of transacting business may be altered; it may be necessary for the junior Bar, or a junior portion of it, to make frequent journeys, upon circuits to be selected; it may be that each county will claim its provincial Bar—its provincial attorneys; but such changes, if they take place, are changes of mode of existence, not of existence itself—changes in the mode and place of conducting business, not in the amount of business done; and, so far from such a transfer of jurisdiction diminishing the actual amount of professional employment, we prophesy, with the utmost confidence, that it will greatly increase it.

Imperial Parliament.

HOUSE OF COMMONS.

Tuesday, April 9.

CHARITABLE TRUSTS.

On the second reading of this bill being moved,

Mr. *Goulburn* said the title of it was, "A Bill for facilitating and better securing the due Administration of Charitable Trusts," but it did not fulfil the object stated in that title. It did not apply itself to the more economical administration of the funds of all charities; it looked only to a particular class of charities—those under 100*l.* annual value, and with respect to those it proposed two new tribunals. The charities above 30*l.* a year and under 100*l.* were to be referred to a separate Master in Chancery. Those under 30*l.* a year were to be referred to the judges of the county courts. But charities above 100*l.* a year required an economical administration as those under that amount, and on that ground alone this bill proceeded altogether on error. The House must observe, that charities of small amount involved principles of property as sacred as those of the largest, and in their respective localities they operated to influence most materially the happiness and comfort of those persons who were within the range of them. Now, this bill proposed to deal with no less than 4600 charities of that description, and to transfer the power over them to the judges of the county courts. That power, hitherto vested entirely in the Lord Chancellor—a judge who, from his eminent position, and attended by a learned Bar, had every motive for acting on just principles—it was proposed to transfer to a county court judge, sitting with no Bar of any importance before him, the affairs he managed only known to persons who resided in the neighbourhood, and not in a position so eminent as to be free from the suspicion of being influenced by partial feelings. Another evil would be the want of a uniform tenor of decisions. There would be sixty judges, in their separate jurisdictions, dealing with these charities, and the result would be, different decisions of the most important principles, involving these trusts in difficulty and disorder. The proper remedy would be in rendering the Court of Chancery less dilatory and expensive, and not in raising up a separate tribunal, which might, after all, end in the same expense and delay that now beset that court. On these grounds he objected to this bill.

Mr. *G. Turner* said, it was necessary the House should be fully acquainted with the nature and extent of the charities to which this bill would apply. It proposed to deal with all charities under 100*l.* a year. The number of those charities was nearly 24,000, with an income of 1,000,000*l.* It severed those below 30*l.* a year from those above that amount. The number of those under 30*l.* was between 3000 and 4000, and the income of them between 200,000*l.* and 300,000*l.* They involved every description of trust and trustee. The greatest care was necessary, on the part of the House, to select a tribunal that should be able and willing to deal with the property upon the most fair and just principles. Care should be taken that proper persons were selected as trustees, and the next object was, to meddle with those trustees in their discretion as little as possible, provided that discretion was bona fide exercised. The next object for the Legislature should be, to provide a very speedy and efficient remedy in the event of any abuse of those trusts; and the last was, to take care that no groundless complaints on the subject of them should be encouraged. It unfortunately happened, that when the existing act passed no clause was introduced to prevent any person but the Attorney-General from filing informations in charity cases, and the consequence was, that a speculative attorney, in the neighbourhood of that House, filed informations against half the companies in London, and against a great number of charities throughout the country, and the funds of several charities were altogether exhausted by the litigation which ensued. Bearing that in mind, he had looked anxiously at the provisions of the present bill; and what did he see? Why, that any person was at liberty to file an information, upon obtaining the sanction of the Attorney-General, or of two magistrates at petty sessions. The Attorney-General had no time to bestow upon matters of this kind, and it was notorious that his sanction was given as a matter of course, on application being made for it. In that respect, therefore, the bill provided no security. How, then, would the case stand as regarded the two magistrates at petty sessions? It was easy to conceive

how the provision of the bill, which required their sanction as a preliminary to the filing of an information, would work in the case of charities existing in towns throughout the country. In boroughs, where party feeling ran high, parties would easily persuade themselves that their opponents were mismanaging a charity, and they would find little difficulty in finding two magistrates to sanction the filing of an information. The bill proposed to place all charities having a yearly income between 100*l.* and 30*l.* under the jurisdiction of a Master in Chancery, whose decision with respect to them was to be final. Now, it happened that, in the ordinary practice of the Court, parties capable of litigating the decisions of the Masters almost invariably did so by appealing from them to the Court itself. Charities should not be placed in a worse position than private suitors; they ought to have the right of appeal from the Master's decision. The bill provided, that all charities having incomes below 30*l.* a year each should be placed entirely under the jurisdiction of the county courts. To that proposition he had the strongest possible objection. The judges of the county courts were deserving of respect, but, generally speaking, they had not been educated for that branch of the profession which would render them familiar with the principles on which charity cases ought to be decided. The judges of the county courts were not resident in the localities in which they exercised jurisdiction, and therefore they could have no personal knowledge of the persons in those localities best fitted to administer charities. They must take their information on this point from their clerks, who thus would acquire control over a large number of the charities of the kingdom. The clerks of the county courts were usually attorneys practising in the towns in which the courts were held; and country attorneys, it was well known, took an active part in every election. It was to be feared, that, by the working of this provision of the bill, the decisions of the county court judges in their own courts would come to be looked upon with suspicion, as biased by party considerations. But the jurisdiction of the county courts would not be limited solely to charities below 30*l.* a year; for by one of the clauses of the bill the Lord Chancellor was empowered to refer to them charities of 100*l.* a year, and thus those courts might be called on to adjudicate in the cases of Rugby, Eton, and Harrow. Having pointed out what he conceived to be the objections to the measure, he might be asked what jurisdiction he would himself subject charities to. He concurred with the right hon. member for the University of Cambridge in thinking, that, if the evils of the Court of Chancery were removed, it would be easy to find in that court an efficient tribunal for administering charities. If the Legislature would give a judge in Chancery permission to sit in chambers, like a judge at common law, and to summon before him only such witnesses as he might deem necessary, charity cases would be decided more safely and more beneficially than by a judge of a county court or a Master in Chancery. But if that suggestion should not be approved of, the Legislature might avail itself of the services of the commissioners of bankrupts, who were locally resident in their several jurisdictions, and were for the most part gentlemen who had been connected with the equity courts.

The *Solicitor-General* said, it was admitted that the aggregate income of charities below 30*l.* each amounted to 300,000*l.*, and yet in every case a breach of trust might be committed with impunity, because the remedy was so expensive that no prudent person would seek it. It was necessary to correct an evil of such magnitude. But then it was urged that the best remedy would be found in a complete reform of the Court of Chancery. That proposition he was not, at present, disposed to dispute; but he asked, how near were they to the accomplishment of the desired reform of the Court of Chancery? The reforms now under the consideration of the House were chiefly experimental. It would be necessary to watch their progress, and to correct them from time to time, if necessary. A complete reform of the Chancery Court could not be accomplished very soon; and was nothing to be done in the meantime? When the Court should be reformed, the jurisdiction now proposed to be severed from it could be restored. The learned member then proceeded to defend the bill on the various points objected to.

Mr. *Roundell Palmer* said, the great practical necessity for legislation, he would venture to say, had reference not so much to cases of supposed or actual breach of trust in small charities, as to the very numerous instances of their administrative wants, which, in the present very imperfect state of the law,

could not be supplied without the Court of Chancery. Take, for example, the appointment of new trustees—the most simple and often the most necessary thing in the world. One would suppose that there would be an equally simple, straightforward, and obvious way of doing it; but the only mode was by the costly machinery of a petition to the Court of Chancery, reference to the Master, a return to the Court to be confirmed, and, possibly, further questions arising out of the subject. Again, the taking and publication of accounts was an important matter; so also was the power of re-leasing when the estates of a charity required to be let; and the case where the funds of a small charity had so increased that it would be possible to extend the basis of the foundation consistently with the wishes of the founder. All these were administrative objects, and it was for the sake of those objects that the intervention of the Legislature was necessary. All that, however, might be supplied by the present bill without entangling themselves in any of the difficulties which arose immediately they attempted to supply the same mode of summary jurisdiction in those difficult contentious cases which would arise in small charities as well as great. It was, he thought, worthy of consideration, whether it would not be better, in the first instance, to pass a bill which should provide a cheap, simple, and effectual mode of supplying the ordinary administrative wants of charities, whilst they reserved the consideration of that contentious part of the jurisdiction until they should be able to deal with the general subject of Chancery reform, in connexion with which it really required very much to be considered. Another point of first-rate importance, on which, as it appeared to him, this bill was open to grave exception, was that of appeal. It seemed to him that the House should pause before it extended the principle of giving judges, who were to be appealed from, the right of determining whether or not an appeal should lie from their decision. With respect to the Masters in Chancery, they were known so well, and they had before them so many examples, and so large a course of sound and just administration, that he could not doubt that, as a matter of course, they would allow an appeal in every case whenever it was asked; but that principle was now proposed to be extended still further with respect to the judges of the county courts, and they gave to those judges the power of removing the most respectable persons in the neighbourhood—the clergy of the parish, county magistrates, and gentlemen of that standing—from the office of trustees, and of refusing to give them an appeal; and further, if they allowed an appeal, it was proposed that the case should go to the court above upon his statement of the facts of the case, as he had derived them from the evidence.

Mr. *Aglionby* said, the country did not like the Court of Chancery, and the best feature of this bill was, that it sheared that court of a considerable portion of its practice, and vested it in bodies in which the country would have more confidence. There was no tribunal which gave less satisfaction than the Court of Chancery, unless it were that of the Masters in Chancery. For himself, he would much prefer that cases between 30*l.* and 100*l.* should be vested in the county court judges, rather than in the Masters in Chancery.

The bill was read a second time.

GRAY'S INN.—A notice has been issued (with the sanction of the Benchers) that there will be a voluntary Examination for Honours in the Laws of Real Property, in the Hall of this Society, in Trinity Term, namely, on Thursday and Friday, the 23rd and 24th days of May next, commencing at ten o'clock A.M. on each day. All students for the Bar, members of any inn of court, will be qualified to attend and stand on this occasion. The names of the successful candidates alone will appear in the published Class List, so that those who do not go in for honours, or who do not succeed, will not suffer any prejudice. The gentleman who attains the first place in the list (being of merit not inadequate, in the opinion of the Examiners, to entitle him to that distinction) will receive the "Lectures Prize," consisting of a set of the Reports of Vesey, jun., (20 vols.)

Mr. Bowyer, D.C.L., will deliver the Readings for the ensuing (Easter) Term in the Middle Temple Hall, on the four Wednesdays in Term, at a quarter after seven o'clock.

Court Papers.

EQUITY SITTINGS, EASTER TERM, 1850.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

Monday .. April 15	Appeal Motions and Appeals.
Tuesday .. 16	} Appeals.
Wednesday .. 17	
Thursday .. 18	} (Petition-day).—Petitions & Appeals.
Friday .. 19	
Saturday .. 20	} Appeals.
Monday .. 22	
Tuesday .. 23	} Appeal Motions and Appeals.
Wednesday .. 24	
Thursday .. 25	} (Petition-day).—Unopposed Petitions and Appeals.
Friday .. 26	
Saturday .. 27	} Appeals.
Monday .. 29	
Tuesday .. 30	} Appeal Motions and Appeals.
Wednesday .. May 1	
Thursday .. 2	} (Petition-day).—Unopposed Petitions and Appeals.
Friday .. 3	
Saturday .. 4	} Appeals.
Monday .. 6	
Tuesday .. 7	} Appeal Motions and Appeals.
Wednesday .. 8	

N. B.—The days his Lordship hears Appeals in the House of Lords excepted.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at Westminster.

Monday .. April 15	Motions.
Tuesday .. 16	Petitions in General Paper.
Wednesday .. 17	} Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Thursday .. 18	
Friday .. 19	} Motions.
Saturday .. 20	
Monday .. 22	} Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Tuesday .. 23	
Wednesday .. 24	} Motions.
Thursday .. 25	
Friday .. 26	} Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday .. 27	
Monday .. 29	} Motions.
Tuesday .. 30	
Wednesday .. May 1	} Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Thursday .. 2	
Friday .. 3	} Petitions in General Paper.
Saturday .. 4	
Monday .. 6	} Motions.
Tuesday .. 7	
Wednesday .. 8	} Short Causes, Consent Causes, and Consent Petitions, every Saturday at the sitting of the Court.
Thursday .. 9	

Short Causes, Consent Causes, and Consent Petitions, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and Copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

Vice-Chancellors' Courts.

Before the VICE-CHANCELLOR OF ENGLAND, at Westminster.

Monday .. April 15	Motions.
Tuesday .. 16	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday .. 17	
Thursday .. 18	} (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Friday .. 19	
Saturday .. 20	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday .. 22	
Tuesday .. 23	} Motions.
Wednesday .. 24	
Thursday .. 25	} (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Friday .. 26	

Saturday	27	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	29	
Tuesday	30	
Wednesday .. May 1		
Thursday	2	Motions.
Friday	3	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	4	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	6	
Tuesday	7	
Wednesday	8	

Before VICE-CHANCELLOR KNIGHT BRUCE, at Westminster.

Monday .. April 15		Motions.
Tuesday	16	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	17	
Thursday	18	Bankrupt Petitions and Ditto.
Friday	19	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	20	
Monday	22	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	23	
Wednesday	24	Bankrupt Petitions and Ditto.
Thursday	25	Motions.
Friday	26	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	27	
Monday	29	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	30	
Wednesday .. May 1		Bankrupt Petitions and Ditto.
Thursday	2	Motions.
Friday	3	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	4	
Monday	6	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	7	
Wednesday	8	Motions.

Before VICE-CHANCELLOR WIGRAM, at Westminster.

Monday .. April 15		Motions and Causes.
Tuesday	16	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	17	
Thursday	18	
Friday	19	
Saturday	20	Short Causes, Petitions, (unopposed first), and Causes.
Monday	22	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	23	
Wednesday	24	} Motions and Ditto.
Thursday	25	
Friday	26	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	27	
Monday	29	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	30	
Wednesday .. May 1		} Motions and Ditto.
Thursday	2	
Friday	3	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	4	
Monday	6	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	7	
Wednesday	8	Motions and Ditto.

COMMON-LAW SITTINGS, IN AND AFTER EASTER TERM, 1850.

Court of Queen's Bench.

MIDDLESEX.—*In Term.*

1st sitting .. Tuesday .. April 16, and following days, at 11.
2nd sitting .. Friday .. 19, and subsequent days, at 11.
3rd sitting .. Monday .. May 6, at half-past 9 precisely (for undefended causes only).

After Term.—Thursday, May 9, at half-past 9.

A list of causes will be printed immediately; but on the uncontradicted statement of either side that a cause is too long to

be tried in term, it will be withdrawn from such list, and a small number of completed and new causes will be put into the list day by day, in their usual order.

LONDON.—*In Term.*

Sitting at 10, on Tuesday, May 7, for undefended causes, and such causes as are tried in Middlesex after term, with judgment of the term.

After Term.—Friday, May 10, to adjourn.

N. B.—The hours of attendance at the Marshal's Office of this Court will in future be from 11 till 5 during term and sittings, instead of from 11 to 2, and 6 to 8.

Court of Common Pleas.

In Term.

MIDDLESEX.

LONDON.

Friday .. April 19 | Wednesday .. April 24
Friday .. 26 | Wednesday .. May 1

After Term.

Thursday .. May 9 | Friday .. May 10

The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Friday, the 10th May, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The hours of attendance at the Marshal's Office during term, and sittings after term, will in future be from 11 to 5.

Exchequer of Pleas.

In Term.

MIDDLESEX.

LONDON.

1st sitting, Tuesday, April 16 | 1st sitting, Tuesday, April 23
2nd sitting, Wednesday .. 24 | 2nd sitting, Tuesday .. 30
3rd sitting, Wednesday, May 1

After Term.

Thursday .. May 9 | Friday .. May 10
(To adjourn only).

The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment, from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

The Court will sit, during and after term, at ten o'clock.

EQUITY CAUSE LISTS, EASTER TERM, 1850.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Pfn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*St.* Short.

Court of Chancery.

Before the LORD CHANCELLOR.

APPEALS.

Att.-Gen. v. Gibbs } (Ap)	Wilkinson v. Godson (Ap)
Rock v. Same } S O	Yates v. Madden (Ap)
Dawson v. Brinckman (Ap)	Innes v. Sayer (Ap)
S O	Menzies v. Connor (2 Aps)
Tomlinson v. Trough- } (Ap,	Hickling v. Boyer (Ap)
ton } part	Rowland v. Witherden (Ap)
Haydock v. Tomlinson } hd.)	Myers v. Perigal (Ap)
Hughes v. Williams (Ap)	Pearson v. Goulden (Ap)
Walsh v. Trevanion (4 causes,	Pearson v. Beck (Ap)
Ap)	Pearson v. Hulme (Ap)
Price v. Berrington (3 causes,	Pearson v. Oldham (Ap)
2 Aps)	Watkins v. Williams } (Ap)
Williamson v. Gordon (Ap)	Harvard v. Church
Benyon v. Nettlefold (Ap)	Emmett v. Dewhurst (Ap)
Short v. Mercier (Ap)	Briggs v. Penny (Ap)
Fowler v. Reynal (Ap)	Hickman v. Hickman (Ap)
Miller v. Huddleston (Ap)	Rodick v. Gandell (Ap)

Robinson v. Geldart (Ap)
 Salmon v. Dean (Ap)
 Smith v. Pincombe (Ap)
 Vivian v. Cochrane (Ap)
 Sturge v. Sturge (Ap)
 Pelly v. Wathen (Ap)
 Rhodes v. Matson (5 causes, Ap)
 Smith v. Smith (Ap)

Kekewick v. Manning (Ap)
 Att.-Gen. v. Murdock (Ap)
 Deeks v. Bell (Ap)
 Toft v. Stephenson } (Ap)
 Graham v. Reeves }
 Smale v. Graves (Ap)
 Hawkes v. Eastern Counties Railway Co. (Ap)
 Reynell v. Sprye (4 causes, Ap)

Wright v. Barnewall }
 Barnewall v. Wright }
 Mosley v. Hide
 Bridson v. Colley
 Craig v. Snowden April 18
 Collingwood v. Sitwell (F D)
 Ledward v. Ledward April 18
 Lee v. Delane (F D, C)
 Dodd v. Holbrook } April 22
 Same v. Same }
 Ogle v. Morgan April 22
 Bird v. Freeman April 22
 Hall v. Gee (F D, C)

Brinton v. Price (F D, C)
 Consett v. Croft April 26
 Nowlan v. Walsh 34
 Roberts v. Roberts (F D, C)
 Howell v. Cochrane
 Mountfort v. Stockley (F D, C)
 Weaver v. Grant (E)
 Milne v. Macgauran (F D, C)
 Percival v. Caney May 22
 Salmon v. Cutts May 22
 Consett v. Bell (F D, C)
 Huben v. Thomas May 22

Before the VICE-CHANCELLOR OF ENGLAND.

PLEAS, DEMURRERS, CAUSES, EXCEPTIONS, AND FURTHER DIRECTIONS.

Parkyn v. Cape
 Ellis Fletcher v. Moore
 Norman v. Hammack
 Hyde v. Neate (F D, C)
 Jenkins v. Haynes (F D, C)
 Attorney-General v. Bishop of St. David's (6 causes, F D)
 Pepper v. Decker (F D, C)
 Waters v. Mynn
 Bristow v. Needham (E)
 Attorney-General v. Lambard
 Drysdale v. Carter
 Hillcourt v. Widdrington
 Attorney-General v. Badger
 Graham v. Lyon
 West v. Jones
 Boileau v. Crane
 Turner v. Larkin (F D, Ptn)
 Stuart v. Long
 Flint v. Gaunt
 Ashburner v. Wilson
 Macbean v. Babington
 Rogers v. Hale
 Jeffries v. Jeffries (F D, C)
 Fosbrooke v. Woodcock
 Swann v. Easton (F D)
 Thornhill v. Manning
 Elias v. Birkhead
 Hayward v. Townsend
 Howell v. Haworth
 Uttermare v. Stevens
 Simmons v. Rudall (2 causes)
 Robinson v. Hedger
 Briggs v. Hartley (F D, C)
 Morrill v. Walton (F D, C)
 Wayne v. Lewis
 Mackinnon v. Stewart
 Ludlam v. Elliott
 Newman v. Hatch
 Perkins v. Ede (E)
 Hodgkinson v. Gilbert (F D, C)
 Horridge v. Jones
 Eldridge v. Smith
 Fairhurst v. Malcolm (F D, C)

Grimston v. Oxley
 Goode v. Waters
 Taunton v. Green (F D, C)
 Heath v. Chapman
 Browne v. Paull (F D, C)
 Bower v. Ostler
 Mandsley v. Hall (F D, C)
 Geib v. Dibley
 Westbrook v. M'Kie (F D)
 Langworthy v. Church
 Field v. Titmuss
 Brougham v. Squire }
 Same v. Witham }
 Creswicke v. Parker (F D, C)
 Long v. Bunny (F D, C)
 Sawyer v. Mills
 Hedges v. Ewing
 Attorney-Gen. v. Bodman
 Owen v. Penny 34
 Jackson v. Jackson (F D, C)
 Usher v. Mould
 Fletcher v. Fletcher
 Willis v. Black (7 causes, F D, C)
 Gelson v. Gelson
 Underwood v. Jee
 Oakes v. Jones (F D, C)
 Lynne v. Pennell
 Melling v. Bird }
 Same v. Anderton }
 Mather v. Bird
 Pee v. Marsh (F D, C)
 Wilkinson v. Leake (F D, C)
 Mayhew v. Cannan
 Hunt v. Bohn (2 causes)
 Alcock v. Kempson (3 causes)
 Joyce v. Hopkins
 Ackrill v. Ackrill
 Preston v. Etty (F D, C)
 Lynam v. Peat (F D, C)
 Edgley v. Maslin
 Dickson v. Cotterell (F D)
 Topping v. Sewell
 Smithy v. Burrage

Before Vice-Chancellor KNIGHT BRUCE.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Evans v. Oldnall (Objection as to parties)
 Furlonger v. Midland Great Western Railway Co., Ireland (Objection as to parties)
 Ward v. Martin (2 Ds)
 Stanley v. Bulkeley
 Webster v. Parratt 30
 Burbury v. Jee 30
 Lewin v. Kellett 30
 Horwood v. Griffith
 Calder v. Calder
 Coleridge v. Matthews
 Griffiths v. Evans
 Stone v. Tompson
 Westlake v. Bolitho
 Redshaw v. Newbold (F D) 34

Levason v. Howard
 Fenwick v. Fenwick
 Malcolm v. Malcolm (F D)
 Broadbent v. Thornton }
 Same v. Sturgis }
 Sterry v. Clifton (Equity resd.)
 Paige v. Beachey
 Harrison v. Armitstead
 Rollins v. Groom
 Page v. Firmstone
 Cooke v. Cunliffe
 Hicks v. Welford
 Tompsett v. Beeching
 Sabin v. Sabin
 Stainer v. Maxwell
 Williams v. Hughes
 Makepeace v. Jury (F D)

Before Vice-Chancellor WIGRAM.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Hunter v. Mackreth (D, part heard)
 Attorney-Gen. v. Cooper (D)
 Mence v. Bagster
 Sharp v. Taylor } (E, F D)
 Same v. Same }
 Robinson v. Sheffield
 Same v. Weir
 Downes v. Collins (E)
 O'Reilly v. Alderson
 Methold v. Turner
 Ellis v. Same
 Whipple v. Martyn (F D, C)
 Odell v. Lockett (F D, C)
 Marston v. Hope
 Same v. Pennell
 Edgell v. Whickham (F D, C)
 Calder v. Calder
 Dickenson v. Mort (F D, C)
 Hedges v. Jefferies } (F D, C)
 Same v. Same }
 Phillips v. Phillips (F D, C)
 Toft v. Stephenson } (F D, C)
 Graham v. Reeves }

Lansdell v. Luck (F D, C)
 Hay v. Scott (Rehearing)
 Miller v. Miller
 Clarke v. Clarke (F D, C)
 Swaby v. Dickon (8 causes, F D, Ptn)
 Welsh v. Nixon
 Smith v. Southam
 Horne v. Shepherd
 Kersteman v. Wood (F D, C)
 Read v. Pigeon
 Smith v. Smith (F D, C)
 Elliott v. Lyne } (F D, C)
 Same v. Symons }
 Hughes v. Godfrey } (F D, C)
 Same v. Taunton }
 Warner v. Warner April 27
 Higgins v. Frankis May 8
 Chilton v. Brough (E)
 Harvey v. Stracey } May 9
 Same v. Carter }
 Letts v. London Corn Exchange Co. May 22
 Penke v. Ledger May 22

COMMON-LAW CAUSE LISTS, EASTER TERM, 1850.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER HILARY TERM, 1850.

FOR JUDGMENT.

Midd.—Colombine v. Penhall

FOR ARGUMENT.

EASTER TERM, 1848.

Kent—Doe d. Warren & an. v. Brydges (stands over till after Easter Term)

HILARY TERM, 1849.

Midd.—Reg. v. Smith & ors. (standing for arrangement)

" Same v. Same

EASTER TERM, 1849.

Midd.—Margeson v. Wright
 " Doe d. Morrison & ors. v. Glover

" Robins v. Tripp

Lond.—Huntley v. Donovan
 " Charman v. Steere
 " Fussell v. Lewis

Devon—Brown v. Coleridge
 " Drew & an. v. Same

(To abide the event of Brown v. Coleridge, pursuant to order of Wightman, J.)

" Mayne v. Same

Devon—Hannaford v. Gill (stands for arrangement)

Corrw.—Doe d. Stevens v. Stevens

Northam.—Powell v. Hibbert
 " Doe d. Hubbard v. Hubbard

Lincoln—Allison v. Droper
 " Reg. v. Betts
 " Same v. Same

Warw.—Edwards v. Knowles
 Camb.—Moreton v. Tebbett
 Durham—Humphries v. Bredon

York—Livingstone v. Whiting

Essex—Doe d. Davenish v. Moffatt
 " Leary v. Patrick

Sussex—Hurst v. Hurst
 " Gates v. Gosden
 Surrey—Dimes v. Petley

Worcester—Phillips & ors. v. Evers & an.
 Stafford—Banks v. Baldwin
 " Doe d. Sayer v. Hatton

Salop—Griffiths v. Marcy
 Monmouth—Williams & ors. v. Jones

Tried during Trinity Term, 1849.

Midd.—Page v. More
" Johnson v. Clark
" Goodman v. Pocock

MICH. TERM, 1849.

Midd.—Chard v. Fox
" Duke of Brunswick v. Harmer
" Morewood v. Steere
" Reg. v. Walker
" Same v. Cutts
" Farnham v. Thorne
" Malpas v. Clements
" Mann v. Walker
" Jones v. Alexander
" Job v. Job

Cooper v. Bloxam
" Hooper v. Knowles
York—Crowther v. Farrer
" Reg. v. Inhabitants of Lordsmere
" Doe d. Witty v. Carr
" Singleton v. Bree
" Harland v. Binks
Liverpool—Doe d. Frances v. Andrews
" Mallalieu v. Hodgson & an.

Norfolk—Nield v. Ratcliffe
Herts—Austin v. Spear
Essex—Baker v. Rank

Kent—Williams v. Lord Beresford
" Becroft v. Russel
Surrey—Delfosse v. Hollis
" Hounsfield v. Curtis
" Doe d. Constable v. Stevenson

Chester—Whalley v. Bramwell
Dorset—Bartlett v. Bullen
Cornwall—Tyacke v. Richards
" Same v. Same
Som'set—Doe d. Biddulph & ors. v. Hole & ors.
" Melhuish v. Collier
Stafford—Smith v. Archibald
Brecon—Williams v. Morgan
Tried during Mich. Term, 1849.

Midd.—Hales v. Ferminger
HILARY TERM, 1850.

Midd.—Trail & an. v. Grey
" Blanchard v. Ripley
" Lloyd v. Howard
" Wolton v. Gavin
London—Galvanised Iron Co. v. Ogier
" Barker v. Goddard
" Campbell v. Hewlett
London—Muller v. Alexander
Tried during Hilary Term, 1850.

Midd.—Hay v. Ayling

In re between Leeds and Thirsk Railway Co., East and West Yorkshire Junction Railway Co., and G. Wilson, and J. Benson.

*In re between Westminster Improvement Commissioners, and Churchwardens &c. of St. Margaret & St. John, Westminster
Baily & an. v. Bracebridge
Same v. Haines
Reg. v. Willmer & an.
Reg. v. Rowlands
Same v. Treasurer of Worcestershire

Second Day.

*Threlfall v. Fanshawe
De Rutzen and Wife v. Farr
*Hanbury v. Dampier
In re Edmund Garbett
*Johnson v. Latham
*Williams v. Russell
*Caudwell v. Mostyn & ors.
*Wilson v. De Zulusta & ors.
Reg. v. Trafford & an.
*Same v. Egginton & an.
*Same v. Fairbank & an.
*Same v. Justices of the West Riding

Fourth Day.

Danson v. O'Brien

CROWN PAPER, EASTER TERM, 1850.

Cumberland ..	Reg. v. Maryport and Carlisle Railway Co.
Same	Caledonian Railway Co.
Carlisle	Dixon.
Nottinghamshire ..	Inhabitants of Winstler.
Salop	Inhabitants of Madeley.
Middlesex ..	Inhabitants of Whitmarsh.
London	Midland Railway Co.
Nottinghamshire ..	Mayor &c. of Lichfield.
Lichfield	Great Northern Railway Co.
Lincolnshire ..	Justices of Leicestershire.
Leicestershire ..	South-eastern Railway Co.
Kent	Godfrey & ors.
Yorkshire	Same.
Same	Inhabitants of St. Marylebone.
Middlesex	Clerk of the Peace for the West Riding.
Yorkshire	

SPECIAL CASES AND DEMURRERS

FOR EASTER TERM, 1850.

Those marked thus * are Special Cases—the rest are Demurrers.

STANDING FOR JUDGMENT.

Adams v. Andrews

FOR ARGUMENT.

Cook v. Field
*Knight & ors. v. Faith & an.
*Toller v. Attwood
Meyer & an. v. Cockburn
Morris v. Walker
Bennett & ors. v. Batten & ors.
Barnes & an. v. Keane
West Cornwall Railway Co. v. Mowatt (Sp. Verd.)
Staunton & an. v. Wood
Passenger v. Measam
Pollett v. Chesterton
Reg. v. Bishop of Exeter
Boyes v. Webb
Simpson v. Simpson
*Sanderson & ors. v. Dobson & ors.
Hutchinson v. North-western Railway Co.
Holmes & an. v. Bromfield
Chabot v. Lord Morpeth & ors.
Blackford v. Hill
Burley v. Dobson
*Forster v. Hoggart & an.
Keyes v. Powell
*Rose v. Dry & an.
Parkes v. Smith
Davies v. Cary
Raiton v. York, Newcastle, and Berwick Railway Co.

Wagstaffe v. Booth
Berry v. Huxtable & an.
Gallard v. Gilchrist
*Scattergood v. Sylvester
Reynell & an. v. Lane
*Daniel v. Morton
*Walsh & an. v. Trevanion & Wife & ors.
Bambridge v. Wade
Pim v. Wilson
Doe d. Blagrove v. Stephens & an. (Sp. Verd.)
North American Colonial Association of Ireland v. Bentley
Hayward v. Albony
Day v. Smith
Walker v. Clements
*Thompson & an. v. Whatley
*Jackson & ors. v. Charing-cross-bridge Co.
Longbourne v. Chadwick
Doe d. Ewers & Wife & ors. v. Challis (Sp. Verd.)
Marsden & an. v. M'Lean
Rochdale Canal Co. v. Walmsley
*Walton v. Holt
Evans v. George
Madford v. Lowe & ors.
Trotter v. York, Newcastle, and Berwick Railway Co.
Crow v. General Commission Ship Loan and Insurance Co.

ENLARGED RULES

FOR EASTER TERM, 1850.

Those marked thus * are to be heard in the Bail Court.

First Day.

Lawrence v. Hughes
Bankin v. Hamilton

*Dean and Chapter of the Cathedral Church of Christ, Oxford, v. Hicks

Court of Common Pleas.

NEW TRIALS.

MICHAELMAS TERM, 1848.	Midd.—White v. Jolly
Surrey—Hamilton v. Cochran (To stand over, parties in course of arranging).	" Doe d. Young v. Warner
MICHAELMAS TERM, 1849.	" Burrell v. Ball
London—Smith v. Hamilton	London—Rawl v. Benett
" Hillcoat v. Archbishops of Canterbury and York	" Same v. Same
HILARY TERM, 1850.	
Midd.—Leader v. Strange	

ENLARGED RULES.

First Day.

Clark v. Smith

Kynaston v. Parker
Same v. Raikes.

DEMURRER PAPER.

Friday, April 19.

Kepp v. Wiggett
Levy v. Moylan
Hutton v. Seyler (arranged)
Mayor of London v. Parkinson
Lomas v. Bradshaw
Page v. Newmarch
Callander v. Howard
Hallett v. Wigram
Whitehouse v. Owen
Wetherell v. Julius
Cunliffe v. Maltaas
Anderson v. Arnold
Bank of Australasia v. Harding

Sharland v. Leifchild
Ferguson v. Elder
Dean of Christchurch, Oxford, v. Hill

Wednesday, April 24.

Wardrop v. Johnstone
Shaen v. Eastern Union Railway Co.
Same v. Same
Temple v. Sleigh
Yates v. Hill
Buttigieg v. Booker

Friday, April 26.
Ackroyd v. Smith

CUR. ADV. VULT.

Somerville v. Hawkins
Jones v. Broadhurst

Newton v. Chaplin.

Court of Exchequer.

SITTINGS—EASTER TERM, 1850.

	<i>Banc.</i>	<i>Nisi Prius.</i>
Monday, April 15	Motions of Peremptory Paper	.....
Tuesday 16	Peremptory Paper and Motions	Midd. 1st Sitting
Wednesday 17	Motions and New Trial Paper	.....
Thursday 18	Same	.....
Friday 19	Special Cases	.....
Saturday 20	Motions and New Trial Paper	.....
Monday 22	Demurrers	.....
Tuesday 23	Errors	London 1st Sitting
Wednesday 24	Special Cases	Midd. 2nd Sitting
Thursday 25	Motions and New Trial Paper	.....
Friday 26	Demurrers	.....
Saturday 27	Crown Cases	.....
Monday 29	Special Cases.	.....
Tuesday 30	Motions and New Trial Paper	London 2nd Sitting
Wednesday, May 1	Demurrers	Midd. 3rd Sitting
Thursday 2	Motions and New Trial Paper	.....
Friday 3	Special Cases	.....
Saturday 4	Motions and New Trial Paper	.....
Monday 6	Same	.....
Tuesday 7	Same	.....
Wednesday 8	Same	.....

NEW TRIALS.

FOR JUDGMENT.	<i>Moved Hilary Term, 1850.</i>
Sleigh v. Sleigh	Midd.—Doe d. Nixon v. Preston
Kaye v. Brett	„ Greenland v. Chaplin
Wiles v. Woodward	„ Lafone v. Ellis
Lush v. Russell	„ Bosanquet v. Shortridge
Wigmore v. Jay	„ Grueber v. Daniell
	„ Sampson v. Young
	„ Hunter v. Spence
	„ Same v. Same
	„ Davis v. Hewlett
FOR ARGUMENT.	<i>Moved after the 4th Day of Hilary Term, 1850.</i>
<i>Moved Mich. Term, 1849.</i>	
Maidstone—Storror v. Harman	Midd.—Bonar v. Mitchell
Huntington—Bail v. Mellor	„ Moseley v. Houghton
Liv'pool—Bell v. Earl Talbot	„ Wilson v. Ashley
„ Sellers v. Dickinson	„ Cranston v. Marshall
<i>Moved after the 4th Day of Michaelmas Term, 1849.</i>	
Midd.—Chilcote v. Wadsworth	
„ Towne v. Phillips	
„ Simkins v. Pothocary	
„ Pudney v. Eastern Counties Railw. Co.	

PEREMPTORY PAPER.

FOR JUDGMENT.
Hammersmith Rent-charge

SPECIAL PAPER.

SPECIAL CASES.

FOR JUDGMENT.	
Mortimer v. Hartley	Dennistoun v. Young
	Hernaman v. Coryton
	Grover v. Burningham
FOR ARGUMENT.	
Doe d. Dean and Chapter of the Cathedral Church of St. Peter, Exeter, v. Phelps	Vincent v. Bishop of Sodor and Man
Shield v. Wilkins	Doe d. Patrick v. Beaufort
	Jacques v. Fauntleroy
	Wilson v. Eden

DEMURRERS.

FOR JUDGMENT.	FOR ARGUMENT.
Hutchinson v. York, Newcastle, and Berwick Railway Co.	Gould v. Staffordshire Potteries Waterworks Co.

London Gazette.

TUESDAY, APRIL 9.

BANKRUPTS.

RICHARD THOMAS PETERS, High Holborn, Middlesex, hotel keeper, April 20 at half-past 11, and May 18 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Sutton, 40, Great Ormond-street, Queen-square.—Petition dated March 11.

JOHN HARRIMAN, Nottingham, draper, April 19 and May 17 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Parsons, Nottingham.—Petition dated April 3.

ROBERT DAVIES EVANS and DAVID MEREDITH EVANS, Wrexham, Denbighshire, drapers, (trading under the style or firm of Evans & Nephew), April 25 and May 16 at 11, District Court of Bankruptcy, Liverpool: Off. As. Bird; Sols. Evans & Son, Liverpool.—Petition dated April 6.

MEETINGS.

John Ellison, Selby, Yorkshire, woollendrapery, April 25 at 11, District Court of Bankruptcy, Leeds, aud. ac.—Geo. S. Naish and Thos. I. Glennie, Farringdon-street, Snow-hill, London, general ironmongers, May 2 at 11, Court of Bankruptcy, London, div.—Patrick Cruickshank, John Melville, and Wm. F. Street, Austin-friars, London, merchants, May 2 at 12, Court of Bankruptcy, London, div.—S. S. Woollett, Holborn-hill, London, draper, May 2 at 1, Court of Bankruptcy, London, div.—Wm. L. Collins, Wood-street, Westminster, Middlesex, brewer, May 2 at 1, Court of Bankruptcy, London, div.—Joseph Cary, Shepton Mallet, Somersetshire, printer, May 2 at 11, District Court of Bankruptcy, Bristol, div.—Joseph Gardiner, Birmingham, provision merchant, May 1 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Saml. S. Woollett, Holborn-hill, London, draper, May 2 at 1, Court of Bankruptcy, London.—Charles Jos. Carter, Greenwich, and Shooter's-hill, Kent, solicitor, May 1 at 11, Court of Bankruptcy, London.—Geo. F. Sharpley, Manchester, hosier, May 1 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

J. C. Bremer, Mark-lane, London, merchant.—Fred. Key, Oxford, auctioneer.—Samuel Shepherd, Cullompton, Devonshire, merchant.—T. Hart, Cullompton, Devonshire, baker.—Wm. Cornish, Bristol, cabinet maker.—Geo. B. Inger, Nottingham, druggist.—John C. North, Stamford, Lincolnshire, coal dealer.—Benj. Hewitt, Burton-upon-Trent, Staffordshire, licensed victualler.

PARTNERSHIPS DISSOLVED.

Charles Preston and Thomas Greaves, Kingston-upon-Hull, attorneys at law, solicitors, and conveyancers.—Harry Sellwood and Samuel Sketchley, Horncastle, Lincolnshire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

James Walker, Stonehaven, cattle dealer.—James Brown, Edinburgh, plumber.—David Jeffrey, Glasgow, manufacturer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Brightwell, Oxford, innkeeper, April 23 at 2, County Court of Oxfordshire, at Oxford.—John Swire the elder, Oldham, Lancashire, clogger, April 12 at 12, County Court of Lancashire, at Oldham.—Joseph Little, Hutton, Cumberland, grocer, April 26 at 2, County Court of Cumberland, at Penrith.—Michael Alman, Bristol, attorney and solicitor, May 22 at 11, County Court of Gloucestershire, at Bristol.—Robert Cowles the younger, Yoxford, Suffolk, hairdresser, April 24 at 2, County Court of Suffolk, at Halesworth.—George Pryor, Bristol, accountant, May 22 at 11, County Court of Gloucestershire, at Bristol.—Charles Matthew Palmer, Cambridge, tailor, April 19 at 3, County Court of Cambridgeshire, at Cambridge.—Robert Ward, Carlisle, Cumberland, innkeeper, April 30 at 10, County Court of Cumberland, at Carlisle.—Samuel Wightman, Framlingham, Suffolk, coachbuilder, April 25 at

10, County Court of Suffolk, at Framlingham.—*William Gaisford*, Bristol, baker, May 22 at 11, County Court of Gloucestershire, at Bristol.—*George Thomas*, Bristol, furnishing ironmonger, May 22 at 11, County Court of Gloucestershire, at Bristol.—*James Grimes*, Monks Coppenhall, Cheshire, commission agent, April 30 at 11, County Court of Cheshire, at Nantwich.—*George Davenport*, Crews, Monks Coppenhall, Cheshire, innkeeper, April 30 at 11, County Court of Cheshire, at Nantwich.—*Theo. Newman*, Saxmundham, Suffolk, shoemaker, April 25 at 9, County Court of Suffolk, at Framlingham.—*Jeremiah Eastaugh*, Darham, Suffolk, blacksmith, April 24 at 2, County Court of Suffolk, at Halesworth.—*Daniel Carr*, High Wycombe, Buckinghamshire, farmer, April 15 at 11, County Court of Buckinghamshire, at High Wycombe.—*James Reeve*, Ipswich, Suffolk, grocer, April 25 at 9, County Court of Suffolk, at Framlingham.—*Chas. Anthony Everett*, Southwold, Suffolk, innkeeper, April 24 at 2, County Court of Suffolk, at Halesworth.—*John Hayward*, Woodbridge, Suffolk, cooper, April 25 at 1, County Court of Suffolk, at Woodbridge.—*Daniel Dams*, Witneham, near Ipswich, Suffolk, dealer and jobber, April 25 at 1, County Court of Suffolk, at Woodbridge.—*James Bush*, Aldborough, Suffolk, butcher, April 25 at 9, County Court of Suffolk, at Framlingham.—*George Statham*, Amersham, Buckinghamshire, farming bailiff, April 19 at 11, County Court of Buckinghamshire, at Chesham.—*William Rice*, Sheerness, Isle of Sheppy, Kent, grocer, April 22 at 10, County Court of Kent, at Sheerness.—*James Glascock*, Eastchurch, Isle of Sheppy, Kent, grocer, April 22 at 10, County Court of Kent, at Sheerness.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 23 at 11, before Mr. Commissioner HARRIS.

James Wilson, Moor-lane, Fore-street, Cripplegate, London, coachmaker.—*John Dyer Williams*, Newcastle-street, Farringdon-street, London, blacking manufacturer.—*James Smith*, Corlands-farm, Shenfield, Essex, charcoal burner.—*William Cox*, Vine-terrace, Waterloo-road, Lambeth, Surrey, mill sawyer.

April 23 at 10, before Mr. Commissioner LAW.

Henry C. Fellowes, Kennington-street, Walworth, Surrey, merchant's clerk.—*James Davies*, Grove-st., Barnsbury-park, Islington, Middlesex, tunnel excavator.—*Henry Fullbrook*, Smith-st., King's-road, Chelsea, carpenter.

April 24 at 11, before the CHIEF COMMISSIONER.

Wm. Bullis, Grove-place, Brompton, Kensington, Middlesex, commission agent.—*Robert J. L. Martin*, Bromley Newtown, Bow, Middlesex, baker.—*Edw. Ray*, otherwise *Wm. E. Horner*, Aldenham-terrace, St. Pancras, Middlesex, baker.

April 24 at 10, before Mr. Commissioner LAW.

Thomas Booker, Rathbone-place, Oxford-street, Middlesex, tailor.

April 25 at 11, before the CHIEF COMMISSIONER.

John R. Scowen, Providence-place, Wyndham-road, Camberwell, Surrey, colourman.

Saturday, April 6.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

Wm. Thomas Curtis, Worcester, saddler, No. 71,814 C.; *Jonathan Jackson*, Edward Bembridge, and *Wm. B. Haynes*, assignees.—*Saml. Massey*, Preston, Lancashire, ironmoulder, No. 71,902 C.; *Thomas Turner*, assignee.—*Thomas Meanley*, Chester, grocer, No. 71,964 C.; *J. Dawson*, assignee.

Saturday, April 6.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James Ireland, Clann-terrace, Harleyford-road, Vauxhall, Surrey, commission agent: in the Queen's Prison.—*Lewis Phillips*, Newcastle-st., Strand, Middlesex, clothier: in the Debtors Prison for London and Middlesex.—*John Clancy*, Great Castle-street, Regent-st., Middlesex, lieutenant in her Majesty's 15th regiment of Hussars: in the Queen's Prison.—*Wolf Hyams*, Cannon-st., St. George's-in-the-East, Middlesex, general dealer: in the Debtors Prison for London and

Middlesex.—*Alfred B. Lowick*, Red Lion-st., High Holborn, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Henry R. Palmer*, Hercules-buildings, Lambeth, Surrey, engineer: in the Debtors Prison for London and Middlesex.—*John Hollis*, Upper Queen's-buildings, Brompton-road, Middlesex, milliner: in the Debtors Prison for London and Middlesex.—*Edwin Burbridge*, Charles-place, Prince of Wales-road, Camden-town, Middlesex, cowkeeper: in the Debtors Prison for London and Middlesex.—*John Foster*, Beak-street, Regent-street, Middlesex, publisher: in the Debtors Prison for London and Middlesex.—*J. Balfour*, Russell-terrace, Holland-road, Brixton, Surrey, schoolmaster: in the Queen's Prison.—*George Anderson*, Holly-place, Hampstead, Middlesex, surgeon: in the Queen's Prison.—*George Hughes*, Petersham, near Richmond, Surrey, bricklayer: in the Gaol of Horsemonger-lane.—*John Mews* the younger, Union-st., Spitalfields, Middlesex, confectioner: in the Debtors Prison for London and Middlesex.—*John Dobson*, Old Gravel-lane, St. George's-st., St. George's-in-the-East, Middlesex, shipwright: in the Debtors Prison for London and Middlesex.—*Mary A. Collett*, widow, Kingston-upon-Thames, Surrey, licensed victualler: in the Queen's Prison.

(On Creditor's Petition).

Thomas Farrands, Bishopsgate-st., London, assistant to a wholesale ironmonger: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

George Lamb, Leeds, Yorkshire, butcher: in the Gaol of York.—*Luke Normington*, Cleckheaton, near Leeds, Yorkshire, blacksmith: in the Gaol of York.—*John Parr*, St. Stephen, Norwich, baker: in the Gaol of Norwich.—*Edward Snowden*, York, timber merchant: in the Gaol of York.—*James Sinkinson*, Cleckheaton, near Leeds, Yorkshire, blacksmith: in the Gaol of York.—*John Stapley*, Brighton, Sussex, calf dealer: in the Gaol of Lewes.—*Charles Berry*, Preston, Lancashire, cabinet maker: in the Gaol of Lancaster.—*Joseph Bannister*, Bradford, Yorkshire, cotton warp manufacturer: in the Gaol of York.—*John Wm. R. Carr*, Corbridge, Northumberland, mustard manufacturer: in the Gaol of Newcastle-upon-Tyne.—*J. Hume*, Beer Mill, Crediton, Devonshire, miller: in the Gaol of St. Thomas the Apostle.—*John Hooper*, Holcombe Rogus, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*J. Miner*, Sutton-upon-Derwent, Yorkshire, farmer: in the Gaol of York.—*W. Smart*, All Saints, Lewes, Sussex, chairmaker: in the Gaol of Lewes.—*Saml. Slater*, Congleton, Cheshire, publican: in the Gaol of Chester.—*A. Machan*, Brotherton, near Ferrybridge, Yorkshire, railway labourer: in the Gaol of York.—*J. Trott*, Stain-ton Dale, near Scarborough, Yorkshire, farmer's labourer: in the Gaol of York.—*Joseph Allert*, Winsford, Cheshire, farmer: in the Gaol of Chester.—*Henry Wilkinson*, North Walls, Winchester, Hampshire, cook: in the Gaol of Winchester.—*George Egerton*, Bittern, Hampshire, labourer: in the Gaol of Winchester.—*John Gray*, Sneinton Elements, Nottinghamshire, baker: in the Gaol of Nottingham.—*Robt. Halls*, Cambridge, tobacconist: in the Gaol of Cambridge.—*Wm. Brown*, Montagu-place, Larkhall-lane, Lambeth, Surrey, accountant: in the Gaol of Reading.—*John Murray Withers*, Walcot, Bath, Somersetshire, commission agent: in the Gaol of Wilton.—*Stephen James Dean*, Springfield, Essex, currier: in the Gaol of Springfield.—*Henry Laybourn*, Liverpool, bookkeeper: in the Gaol of Lancaster.—*Milton Smith*, Reddish, near Manchester, bleacher: in the Gaol of Lancaster.—*Wm. Harris*, Wheathampstead, Hertfordshire, miller: in the Gaol of Hertford.—*James Clements Mumford*, Bishop's Stortford, Hertfordshire, British wine merchant: in the Gaol of Hertford.—*Edward Lawrence Hime*, Liverpool, vocalist: in the Gaol of Lancaster.—*George Almond*, Mawdsley, near Croston, Lancashire, farmer: in the Gaol of Lancaster.—*George Hall*, Salford, Lancashire, victualler: in the Gaol of Lancaster.—*Bernard King*, Liverpool, tailor: in the Gaol of Lancaster.—*John Holahan*, Cheetham, Manchester, dyssalter: in the Gaol of Lancaster.—*Rich. Brakell*, Birkenhead, near Liverpool, paper ruler: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 18 at 11, before the CHIEF COMMISSIONER.

George Henry Chilcote, Michael's-place, Brompton, Middlesex, attorney at law.

April 23 at 10, before Mr. Commissioner LAW.

Stephen Hunt, Dean-st., Soho, hotel keeper, and *Brigg's-yard*, Dean-st., Soho, Middlesex, livery-stable keeper.—*Jas. Lipscomb*, Lindsay-place, Chelsea, Middlesex, out of business.

April 25 at 11, before the CHIEF COMMISSIONER.

Camille Cesar Napoleon Pomposi, Brunswick-place, City-road, Middlesex, portrait painter.

April 25 at 11, before Mr. Commissioner PHILLIPS.

Robert Harradine, Lower Tottenham, Middlesex, brick-layer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, April 19 at 3.

Robert Halls, Cambridge, tobaccoconist.

At the County Court of Gloucestershire, at GLOUCESTER, May 13 at 10.

William Kimber, Bourton-on-the-Water, of no profession, trade, or business.

At the County Court of Northumberland, at MORPETH, April 26 at 11.

Emanuel Arnett, North Shields, builder.

At the County Court of Hampshire, at WINCHESTER, April 23.

George Egerton, Bittern, labourer.—*Henry Wilkinson*, Winchester, out of business.

At the County Court of Carmarthenshire, at CARMARTHEN, April 23 at 2.

David Morris, Caerplump, Pembrey, butcher.

At the County Court of Oxfordshire, at OXFORD, April 24 at 2.

Sarah Grace, Charlbury, out of business.—*Wm. Sanders*, Banbury, dealer in coals.

At the County Court of Norfolk, at NORWICH CASTLE, April 25.

William John Johnson, Burnham Westgate, out of business.—*John Toms*, Great Franhams, coal dealer.

At the County Court of Norfolk, at the Guildhall, NORWICH, April 25 at 10.

John Parr, St. Stephen, Norwich, baker.

FRIDAY, APRIL 12.

BANKRUPTS.

HENRY BRADING, Shepherdess-walk, City-road, Middlesex, licensed victualler, dealer and chapman, April 23 at half-past 1, and May 28 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Brown, 21, Finsbury-place.—Petition filed April 11.

JAMES HONIBALL, late of Cheapside, but now of Ingram-court, Fenchurch-street, London, and Dunston, Wickham, Durham, anchor and chain cable manufacturer, dealer and chapman, April 25 at half-past 11, and May 24 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Overton & Hughes, 25, Old Jewry.—Petition dated April 10.

JAMES PASSAND HOLYLAND, late of Guildhall-chambers, Basinghall-street, innholder, and formerly of Bread-street, but now of Fore-street, London, warehouseman, April 26 at 12, and May 28 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Reed & Co., 59, Friday-street, Cheapside.—Petition filed April 10.

JOHN CLARKE, Stourbridge, Worcestershire, grocer and provision dealer, dealer and chapman, April 22 and May 27 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Prescott, Stourbridge; Wright, Birmingham.—Petition dated April 6.

JOHN DAY TEESDALE, Boston, Lincolnshire, horse dealer and victualler, May 3 and 24 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Marshall, Boston; Jabett, Birmingham.—Petition dated March 22.

WILLIAM JAMES, late of Newport, Monmouthshire, but now of the city of London, or the suburbs thereof, bonded storekeeper, biscuit baker, general merchant, dealer and chapman, April 29 and May 27 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. W. & C. Bevan, Bristol; Beckett & Symson, 7, Golden-square, London.—Petition filed Dec. 21, 1849.

PHILIPPE STANGER, EDWARD EVANS, and SOLOMON CROSS, Birmingham, manufacturers of crown and sheet glass, dealers and chapman, (carrying on business under the style or firm of the Baggott-street Crown and Sheet Glass Company), April 25 and May 23 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Stabbs & Smallwood, and Motteram & Co., Birmingham.—Petition dated April 8.

BENJAMIN SYMES SAUNDERS, Stawell, Moorlinch, Somersetshire, quarryman, dealer and chapman, April 23 at 11, and May 3 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. G. & R. Poole, Bridgwater; Staddon, Exeter.—Petition filed April 4.

HENRY PARIS, Liverpool, grocer, tea and provision dealer, dealer and chapman, April 29 and May 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casemore; Sols. Neal & Martin, Liverpool.—Petition dated April 10.

JAMES GALLEY WATSON, Sunderland, Durham, grocer, dealer and chapman, April 23 and May 28 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Thompson, Sunderland; Chisholm & Co., 64, Lincoln's-inn-fields, London.—Petition filed March 30.

MEETINGS.

Thomas Smurwaite, Scarborough, Yorkshire, wine merchant, May 9 at 2, Court of Bankruptcy, London, pr. d. and aud. ac.—*S. Keen and Wm. Langford*, John-street, Pentonville, Middlesex, brewers, April 26 at 2, Court of Bankruptcy, London, pr. d.—*Thos. R. Tayler*, Portsea, Southampton, bill broker, April 25 at half-past 1, Court of Bankruptcy, London, ch. ass.—*John Stead*, Melcombe Regis, Dorsetshire, grocer, April 25 at half-past 12, Court of Bankruptcy, London, last ex.—*John Sydenham*, Poole, Dorsetshire, printer, April 26 at half-past 12, Court of Bankruptcy, London, last ex.—*J. N. Hart*, King-st., Finsbury-sq., Middlesex, watch manufacturer, April 23 at 11, Court of Bankruptcy, London, last ex.—*James Thomson*, King-st., Camden-town, Middlesex, draper, April 26 at 11, Court of Bankruptcy, London, last ex.—*Chas. Lowe Swainson and John Birchwood*, Manchester, manufacturers, April 22 at 12, District Court of Bankruptcy, Manchester, last ex.—*John Hague*, Thames Ironworks, Rotherhithe, Surrey, engineer, April 25 at 1, Court of Bankruptcy, London, aud. ac.; May 3 at half-past 12, div.—*Geo. Woods*, Portsea, Southampton, saddler, April 25 at half-past 12, Court of Bankruptcy, London, aud. ac.—*James Stephenson*, Arbour-terrace, Commercial-road, Middlesex, draper, May 9 at 1, Court of Bankruptcy, London, aud. ac.—*William Alexander*, Bath, Somersetshire, shirtmaker, May 9 at 12, District Court of Bankruptcy, Bristol, aud. ac.—*John Stephenson*, Brecon, grocer, May 2 at 11, District Court of Bankruptcy, Bristol, aud. ac.; May 4 at 11, div.—*Joseph Griffin*, Upton-upon-Severn, Worcestershire, innkeeper, May 1 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*James Bairnsfather Scott*, Denham Springs, near Chorley, Lancashire, and Manchester, calico printer, April 30 at 12, District Court of Bankruptcy, Manchester, aud. ac.; May 7 at 12, div.—*John Hilton Bazley*, Manchester, and *Hussey Chapman*, King-street, Cheapside, London, warehousemen, April 30 at 12, District Court of Bankruptcy, Manchester, aud. ac.; May 7 at 12, div. sep. est. of *Hussey Chapman*.—*William Whitenbury*, Manchester, cotton dealer, April 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.; May 6 at 12, div.—*William Lee*, King's-mills-wharf, Rotherhithe, Surrey, bargebuilder, May 3 at 12, Court of Bankruptcy, London, div.—*John William Jackson*, Colchester, Essex, coal merchant, May 3 at half-past 11, Court of Bankruptcy, London, div.—*Hugh Biers*, Carlton-villas, Edgeware-road, Paddington, Middlesex, builder, May 3 at 11, Court of Bankruptcy, London, div.—*Quintin Dick and Jeremiah Dick*, Finsbury-square, Middlesex, merchants, May 3 at 11, Court of Bankruptcy, London, fin. div.—*Wm. Gibbie and Thos. Provis Ackerman*, Whitecross-street, Middlesex, and New-cut, Lambeth, Surrey, drapers, May 7 at 11, Court of Bankruptcy, London, div.—*G. Orbell*, Romford, Essex, horse dealer, May 7 at 12, Court of Bankruptcy, London, div.—*George Fielding*, Thame, Oxfordshire, ironmonger, May 7 at 12, Court of Bankruptcy, London, fin. div.—*Charles Wood*, Ditcheling, Sussex, butcher, May 10 at 11, Court of Bankruptcy, London, div.—*Thomas Sutton the younger*, Atherstone, Warwickshire, draper, April 22 at 11, District Court of Bankruptcy, Birmingham, aud. ac.; May 4 at 11, div.—*John Richards*, Merthyr Tydvil, Glamorganshire, woollendrapery, May 10 at 11, District Court of

Bankruptcy, Bristol, div.—*John Harford* and *Wm. Weaver Davies*, Bristol, and Ebbwvale and Sirhowy, Monmouthshire, ironmasters, May 13 at 11, District Court of Bankruptcy, Bristol, fin. div. sep. est. of *John Harford*.—*John Bridgeford*, Sheffield, Yorkshire, printer, May 4 at 10, District Court of Bankruptcy, Sheffield, div.—*James Charles Simpson*, Sheffield, Yorkshire, pawnbroker, May 4 at 10, District Court of Bankruptcy, Sheffield, div.—*John Gilmore*, Hawthorn-grove, Durham, whiting manufacturer, May 10 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*George Barton* and *John Barton*, Manchester, copper roller manufacturers, April 22 at 12, District Court of Bankruptcy, Manchester, div.—*John Wright*, Pendleton, Lancashire, dyer, April 23 at 12, District Court of Bankruptcy, Manchester, div.—*J. Palmer* the elder, Stapleford, Nottinghamshire, and *Thomas Topley Barker*, Sandiacre, Derbyshire, cotton doublers, May 17 at 10, District Court of Bankruptcy, Nottingham, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Sadler and *William Edmund Sadler*, Brightlingsea, Essex, sailmakers, May 10 at half-past 1, Court of Bankruptcy, London.—*Charles Wood*, Ditchelling, Sussex, butcher, May 7 at 11, Court of Bankruptcy, London.—*Geo. Matthews*, Monmouth, pianoforte seller, May 6 at 11, District Court of Bankruptcy, Bristol.—*Thomas Atkinson*, Liverpool, plasterer, May 6 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Robert Wynne, Brentford, Middlesex, grocer.—*Edward Dixon*, Gravesend, Kent, colourman.—*Edwin Loveless*, Portsea, Southampton, grocer.—*James H. Mills*, Hove, Sussex.—*Walter Holmes*, Plymouth, Devonshire, baker.—*Wm. B. Smith*, Plymouth, Devonshire, shipwright.—*John Spencer*, Manchester, cotton spinner.—*Edward Brattan*, Northwich, Cheshire, cabinet maker.—*James Harshaw* and *Wm. Askew*, Leeds, Yorkshire, cloth merchants.—*William Firth*, *Henry Firth*, *Grace Wilson*, *Joseph Ryley*, and *Joshua Coates*, Stanningley, Yorkshire, scribbling millers.

PARTNERSHIP DISSOLVED.

Edward Bennett and *Robert William Bennett*, Manchester, attorneys and solicitors, (under the style or firm of Edward and R. Wm. Bennett).

SCOTCH SEQUESTRATIONS.

John Cadzow, Glasgow, carter.—*Patrick Kirkaldy*, dec., Fullerton, farmer, and Dundee, corn merchant.—*J. Walker*, Glasgow, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Theodore Jewitt, Plymouth, Devonshire, stationer's assistant, May 9 at 11, County Court of Devonshire, at Plymouth.—*Felding Cotterill*, Nineveh, Handsworth, Staffordshire, coal dealer, April 22 at 2, County Court of Warwickshire, at Birmingham.—*Wm. Ellis*, Plymouth, Devonshire, hairdresser, May 9 at 11, County Court of Devonshire, at Plymouth.—*John Cullum*, Ipswich, Suffolk, job master, April 26 at 10, County Court of Suffolk, at St. Helen's.—*Thomas Ralph G. Newman*, Newmarket, Suffolk, coachmaker, April 24 at 10, County Court of Cambridgeshire, at Newmarket.—*Andrew S. Knight*, Plymouth, Devonshire, master in the Royal Navy, May 9 at 11, County Court of Devonshire, at Plymouth.—*John Crook*, Northowram, Halifax, Yorkshire, shoemaker, April 26 at 10, County Court of Yorkshire, at Halifax.—*John Beckett*, Tattenhall, Cheshire, land surveyor, April 17 at 10, County Court of Cheshire, at Chester.—*R. Pritchard*, Epney, Saul, Gloucestershire, farmer, May 13 at 10, County Court of Gloucestershire, at Gloucester.—*I. Astell*, Leamington Priors, Warwickshire, baker, April 26 at 10, County Court of Warwickshire, at Warwick.—*John Ackroyd*, Lower Bens, Warley, Halifax, Yorkshire, worsted plush manufacturer, April 26 at 10, County Court of Yorkshire, at Halifax.—*Edward Graddon*, Howden, Yorkshire, miller, April 22 at 10, County Court of Yorkshire, at Howden.—*Rev. D. Jones*, Llandinam, Montgomeryshire, clerk, April 24 at 10, County Court of Montgomeryshire, at Newtown.—*John F. Norfolk*, Leamington Priors, Warwickshire, veterinary surgeon, April 26 at 10, County Court of Warwickshire, at Warwick.—*Wm. Greenwood*, Halifax, Yorkshire, whitesmith, April 26 at 10,

County Court of Yorkshire, at Halifax.—*John O. Hamlin*, Magdalen-st., Exeter, pigeon dealer, May 11 at 10, County Court of Devonshire, at Exeter.—*John L. Shoyles*, Gorleston, Suffolk, wheelwright, April 23 at 10, County Court of Norfolk, at Great Yarmouth.—*Elijah Eastick*, Great Yarmouth, Norfolk, baker, April 23 at 10, County Court of Norfolk, at Great Yarmouth.—*W. Janson*, Kirkby Malzeard, near Ripon, Yorkshire, farmer, April 22 at 10, County Court of Yorkshire, at Ripon.—*Samuel Jenner* the elder, Cranbrook, Kent, out of business, April 18 at 10, County Court of Kent, at Tentarden.—*Benjamin Rose*, Woodborough, Nottinghamshire, wheelwright, May 9 at 9, County Court of Nottinghamshire, at Nottingham.—*James Newell*, Sneinton, Nottinghamshire, warehouseman, May 9 at 9, County Court of Nottinghamshire, at Nottingham.—*James Booker*, Denchworth, Berkshire, carpenter, April 16 at 2, County Court of Berkshire, at Wantage.—*William Chew*, Chelsea, Linalade, Buckinghamshire, out of business, May 2 at 10, County Court of Bedfordshire, at Leighton Buzzard.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lancashire's Inn, as follows, to be examined and dealt with according to the Statute:—

April 26 at 10, before Mr. Commissioner LAW.

Henry Partridge, Grove, Hackney, Middlesex, draper's assistant.—*George Nightingale*, Tower-st., Westminster-road, Surrey, grocer.

April 27 at 11, before Mr. Commissioner PHILLIPS.

Edward Kingcombe, Bayham-terrace, Camden-town, Middlesex, clerk to an auctioneer.—*Gustavus Vaughan Brooke*, Arundel-st., Strand, Middlesex, comedian.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 26 at 11, before Mr. Commissioner HARRIS.

John Holtington, Queen's-road, Hornsey-road, Holloway, Middlesex, labourer.—*Rebecca Anne Daly*, widow, Cumberland-market, Regent's-park, Middlesex, out of business.—*Joe. Brace*, Sydney-st., Brompton, Middlesex, out of business.—*Alex. Hume*, Kent-st., Southwark, Surrey, baker.

April 26 at 10, before Mr. Commissioner LAW.

Samuel Bertie Ambrose, Charlewood-st., Vauxhall-road, Surrey, not in any profession.

April 29 at 11, before the CHIEF COMMISSIONER.

John Hollis, Queen's-terrace, Marlborough-road, Chelsea, Middlesex, linendraper.—*James Balfour*, Russell-terrace, Holland-road, Brixton, Surrey, out of business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

James Williams, Lower Trammere, Cheshire, bookbinder, No. 72,129; *Edward Jones*, assignee.—*Richard Rushton*, Garston, near Liverpool, out of business, No. 72,238; *Thos. Laurence*, assignee.—*George Millner Crookall*, East Beach Lytham, schoolmaster, No. 72,234; *Joseph Ditchfield*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, April 26 at 11.

E. Rowland, North Shore, Kirkdale, near Liverpool, architect.—*Geo. Sherlock*, Liverpool, ship broker.—*J. Johnson*, Brook Poulton-le-Fylde, station master on the Preston and Wyre Railway.—*Milton Smith*, Reddish, near Manchester, out of business.—*John Holahan*, Manchester, drysalter.—*Luke John Ryan*, Liverpool, out of business.—*Edw. Hancock*, Manchester, butcher.—*Henry Thornley*, Manchester, butcher.—*George Almond*, Wrightington, farmer.—*George Hall*, Salford, out of business.—*Bernard King*, Liverpool, out of business.—*James Lees*, Manchester, milk dealer.—*Mary Carey*, Liverpool, lodging-house keeper.—*John McDowall*, Liverpool, labourer.—*Edward Laurence Hime*, Liverpool, vocalist.—*Robert William Marshall*, Openshaw, near Manchester, whip-string manufacturer.—*Samuel Preston*, Bury, tin-plate worker.

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NOTICE IS HEREBY GIVEN, that the OFFICE of the PROTHONOTARY of this COURT is REMOVED to No. 19, TOOLEY-STREET, SOUTHWARK, where the process of the Court will henceforward be issued, and the business of the Court transacted. Office hours, 10 till 4 o'clock.

4th April, 1850. **GEORGE R. CORNER**, Prothonotary.
N. B. By Stat. 6 & 7 Vict. c. 73, all Attornies of her Majesty's Courts at Westminster are entitled to practise in Courts of Inferior Jurisdiction, on production of their Admission in the Superior Courts, and their Certificates, and on signing the Roll.

A Court will be held before the Recorder on Monday, the 15th April instant, at the Town Hall, Southwark.

DIGEST OF CASES.
THE PROFESSION are respectfully informed, that No. 3 of the MONTHLY DIGEST is now ready, price 1s., containing the whole of the Cases reported during the month of March, with NOTES of the MOST IMPORTANT of those DECIDED DURING the SAME PERIOD. With the present Number is given Consolidated INDEXES of POINTS and NAMES of CASES to the Three Numbers now published, which may be considered Specimens of those intended to be issued at the close of the year—a plan which will give to the Monthly Part all the advantages of an annual issue. The Three Numbers, (in which are digested upwards of 650 Cases, many of them being Decisions under recent Acts of Parliament), with consolidated Indexes of Points and Names of Cases, form a Quarterly Part, price 3s., sent post free.

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Table of Premiums for Assuring 100l. on a Healthy Life.

Age.	For 7 Years, at an Annual Payment of	For 14 Years, at an Annual Payment of	Life Rate.
	£ s. d.	£ s. d.	£ s. d.
30	1 4 1	1 6 1	2 10 4
40	1 10 4	1 13 6	3 3 8
50	2 3 10	2 13 11	4 7 3
55	3 0 4	3 13 3	5 5 0
60	4 2 3	5 1 3	6 7 2
65	5 16 3	6 19 11	7 16 9

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The Right Hon. the Lord Chief Baron.
The Right Hon. Sir H. Jenner Fust, Dean of the Arches, &c.
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Richard Richards, Esq., M. P., Master in Chancery.

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E. BLAKE BEAL, Secretary.

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APRIL 20, 1850.

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* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

House of Lords	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Queen's Bench	{ G. J. P. SMITH, Esq. of the Inner Temple; and W. B. BRETT, Esq. of Lincoln's Inn, Barristers at Law.
Privy Council	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	Queen's Bench Bail Court	{ H. PELLY HINDE, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Common Pleas, including Appeals under Registration of Voters Act. . .	{ W. PATERSON, Esq. of Gray's Inn; and J. R. BULWER, Esq. of the Inner Temple, Barristers at Law.
Master of the Rolls Court	{ G. Y. ROBSON, Esq. of the Inner Temple, Barrister at Law.	Court of Exchequer . . .	{ W. M. BEST, Esq. of Gray's Inn, Barrister at Law.
Vice-Chancellor of England's Court	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	Ecclesiastical and Admiralty Courts	{ J. P. DEANE, D.C.L. of Doctors' Commons.
Vice-Chancellor Knight Bruce's Court.....	{ W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.	Cases in Bankruptcy....	{ W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Crown Cases Reserved..	{ ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, APRIL 20, 1850.

THE important maxim, "Omnis rati habitio retrahitur et mandato priori equiparatur," in its application to actions of tort, has been fully considered in the recent case of *Bird v. Brown*, (14 Jur., part 1, p. 132). The facts of that case were the following:—A merchant in America shipped certain goods to the account of merchants in this country, against whom a fiat in bankruptcy issued on the 8th May. On the arrival of the cargoes on the 5th, 7th, and 9th May, the defendants, during the continuance of the transitus, gave notice to the master and consignees of a claim to stop the goods in transitu on behalf of the American merchant, but they were not his agents, nor had they received any authority from him to make the stoppage. On the 11th May, the plaintiffs, the assignees of the bankrupts, demanded from the master and consignees the cargoes which were then on board the vessels in port and undelivered, but delivery of them to the plaintiffs was refused, and on the same day they were handed over to the defendants, who on the next day refused to deliver them to the plaintiffs, on demand. The American merchant afterwards, and before the commencement of the action, adopted and ratified the acts of the defendants, and the question was, whether such ratification were equivalent to a prior authority, so as to afford a defence to an action of trover brought by the assignees against the defendants. The Court of Exchequer held, first, that there could not be any stoppage in transitu after the demand by the plaintiffs on the 11th May, and the subsequent delivery of them to the defendants—the transitus was then at an end; and, secondly, that the ratification after the transitus was ended was too late, and had not the effect of altering

the property in the goods, which, at that time, had become vested in the plaintiffs.

The Court were of opinion that the doctrine involved in the maxim cited at the commencement of this article must, to enable the party on whose behalf the act was done, or his agent, to take advantage of it in an action of tort, be understood with this qualification—that the ratification must take place *at a time and under circumstances when the ratifying party might himself have lawfully done the act which he ratifies*. Lord Audley's case (Cro. Eliz. 561; and see 18 Vin. Ab. 157) was relied upon as supporting this view. There a fine, with proclamations, was levied of certain land, and a stranger, within five years afterwards, in the name of him who had the right, entered to avoid the fine. After the five years, the party having the right to the land ratified and confirmed the act of the stranger. This was held to be inoperative, though such ratification within the five years would probably have been good. The party having title could not be deemed to make an entry until he ratified the previous entry, and he did not do so until it was too late. So, in the principal case, the stoppage could be made only during the transitus; during that period the defendants, without authority, made the stoppage, and it was only after the transitus was ended that their act was ratified. The American merchant, however, at that time, could not stop the goods, and therefore could not ratify.

This decision, it will be seen, prevents the ratification from having a retrospective effect, or being equivalent to a previous command, unless the party ratifying could himself have lawfully performed the act at the time of the ratification: he has, in fact, no authority to give to the party acting, nor power of ratifying the act done. The Court also stated, that, as applied

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to cases of contract, the maxim is clear, and that if A., unauthorised by B., makes a contract on his behalf with C., which B. afterwards recognises and adopts, the contract is to be dealt with as having been originally made by his authority: that, as applied to cases of tort, where it is sought to fix the party ratifying with liability, if A., professing to act by the authority of B., does that which *prima facie* amounts to a trespass, and B. afterwards assents to and adopts his act, A. is treated as having from the beginning acted by his authority, and B. becomes a trespasser, unless he can justify the act.

THE STAMP-DUTIES BILL.

On Monday last the House of Commons went into committee on this bill in an amended form. Many of the objectionable provisions had been omitted or modified, and further concessions were made by the Chancellor of the Exchequer; but upon the committee deciding that the duty on bonds for sums not exceeding 50*l.* should be 1*s.*, the further progress of the bill was suspended until Monday next. It is to be hoped that this decision will not occasion the abandonment of the bill, which, as amended, would effect a vast improvement upon the existing duties.

The principal alterations in the bill since our former notice of it are the following:—

The only persons to be charged as debtors to the Crown with stamp-duties are those by whom the duties ought to be actually paid.

The penalty for stamping executed instruments is to be 10*l.*, and where the duty to be paid exceeds 10*l.*, then, in addition to the 10*l.*, interest at 5*l.* per cent. on the duty, is to be paid "from the date, or first signing or execution of such deed or instrument" [which?], but the total amount of such interest is not to exceed the amount of the principal.

The Chancellor of the Exchequer proposed in committee to authorise the Board of Inland Revenue to decide what stamp ought to be affixed in particular cases, upon payment of a small additional duty for an adjudication stamp.

The proviso in the 7th section, confining the allowance of time for stamping instruments executed abroad to instruments not previously executed by any party within the United Kingdom, was abandoned.

The clause repealing the restriction in the 9 Geo. 4, c. 27, s. 4, on vendors of receipt stamps charging more than the amount of the stamps, was struck out. The allowance of unlimited charges for receipt stamps is, no doubt, objectionable, but some more liberal discount than is at present made to vendors of stamps is absolutely necessary.

The Chancellor of the Exchequer promised to consider a proposition made by Mr. Mullings, that the progressive duty on agreements should be 2*s.* 6*d.*

A clause was introduced for making fire insurance licenses in Ireland permanent.

The Chancellor of the Exchequer proposed to reduce the duty on bonds, mortgages, and other securities for money, from 10*s.* per cent. to 5*s.* per cent.; and the amendment moved by Sir H. Willoughby, that on bonds not exceeding 50*l.* the duty should be 1*s.*, was adopted.

The lowest stamp on an annuity bond is still 1*l.*

In the amended bill, the objectionable words, "or of any other matter or thing whatever, and of whatever nature," under the titles *Conveyances* and *Mortgages*, have been omitted, and the language of the old schedule restored.

A stamp of 2*s.* 6*d.* is proposed on the counterpart or

duplicate of a conveyance made in consideration wholly of an annuity. This seems capricious, and likely to lead to evasion.

The stamps on admittances to copyholds sold or mortgaged are reduced to the ad valorem stamp, where that is under 1*l.*

The blunder in charging money covenants with the like duties as bonds for the same purpose, without providing, in cases where the sums secured are indefinite, a substitute for the provision, under the title "Bonds," that the penalty shall determine the stamp, is not corrected.

The proposed duties on leases are, for a rent not exceeding 5 <i>l.</i>			£0 0 6
Exceeding 5 <i>l.</i> , and not exceeding 10 <i>l.</i>			0 1 0
" 10 <i>l.</i>	" 15 <i>l.</i>		0 1 6
" 15 <i>l.</i>	" 20 <i>l.</i>		0 2 0
" 20 <i>l.</i>	" 25 <i>l.</i>		0 2 6
" 25 <i>l.</i>	" 50 <i>l.</i>		0 5 0
" 50 <i>l.</i>	" 75 <i>l.</i>		0 7 6
" 75 <i>l.</i>	" 100 <i>l.</i>		0 10 0
" 100 <i>l.</i> , 5 <i>s.</i> for every 50 <i>l.</i> , or part of 50 <i>l.</i>			

The duty on memorials of conveyances, &c., is reduced to the ad valorem duty, where that is less than 10*s.*

The words imposing the mortgage-duty on agreements, &c., accompanying deposit securities, are, in the amended bill, the same as the words in the existing Stamp Act.

The special proviso, limiting the effect by relation of a stamp impressed after execution, on a mortgage for an unlimited amount, to the day of impressing such stamp, (the transitory appearance of which has been useful, as illustrating the unbounded impudence of the Stamp-office authorities), is omitted.

The following clause is inserted:—

MORTGAGES. "And where any such deed, &c. shall be made respectively as a security for the payment of any rent-charge or annuity, or any sum or sum of money, by way of repayment, or in satisfaction or discharge, or in redemption of any sum of money lent, advanced, or paid as, or for, or in the nature of a loan intended to be repaid, satisfied, discharged, or redeemed in manner aforesaid—the same duty as on a mortgage or warrant for the sum of money so lent, advanced, or paid."

The duty on transfers of mortgages is reduced to the ad valorem duty, where that is under 1*l.* 15*s.*; but this is effected by a reference to the amount secured (300*l.*), instead of to the amount of duty, so that any change in the rate of the ad valorem duty will necessitate a correction of the clause.

No deed of transfer is to be charged with additional duty by reason of its containing any covenant for payment by the original mortgagor, or any person interested in the equity of redemption, or a new proviso for redemption, or a power of sale. This is a very imperfect mode of overruling the absurd decisions which have been made on this subject. Its effect would be to prevent the Courts from overruling the principle of those decisions, which they may still be expected to do. It does not extend to covenants for title, to a power to distrain for interest, to a power to lease, nor to a thousand other variations that might be made in the form of the original security. No enumeration of particulars would be sufficient, unless these words be added—"or any other matter which might have been inserted in the original mortgage, without rendering it liable to any additional stamp."

The duty on further securities for mortgage debts is reduced to the ad valorem duty, where that is under 1*l.* 15*s.*, (or, as the bill has it, where the sum secured does not exceed 300*l.*) But the corresponding head in the old Stamp Act is not included in Schedule (A).

The bill is to repeal the old duties only as to instruments which shall have been signed or executed by any party, or which shall bear date, before or on the 5th July, 1850. Why the alternative? Will a deed actually ingrossed and executed a year after that day, but dated in 1849, be liable to the old duties? It will be liable to the new duties by the express terms of the 2nd section, "that from and after the said 5th day of July, 1850, there shall be paid" &c. In sect. 4, which repeals the lease for a year duty, the expressed date alone is made the criterion.

The grave discussions of Monday last on the details of a system of taxes which ought never to have been imposed, and which can never be satisfactorily dealt with otherwise than by total repeal, brought out many of the glaring inequalities and absurdities of the stamp-duties.

The existence of these monstrous impediments to free action would be incredible, if we did not know how mean and insignificant was their origin, and how much may be done by slow and steady encroachment. The first stamp-duties were granted in the year 1694, for four years, "towards carrying on the war against France," and with few exceptions they ranged between 1d. and 6d. on the several documents charged. It is worth while to consider somewhat minutely the nature and amount of a few of the items in the existing table of duties, bearing in mind that the theory of the stamp-duties is, that they are ordinary taxes for the purposes of revenue, i. e. contributions to be paid to the Government by its subjects, in proportion to their several means, and in consideration of its services in protecting their lives, liberty, and property, and doing what a Government can do towards facilitating the common business and enjoyment of its subjects.

The first charge in the list is one of 50*l.* on admissions to the degree of advocate or barrister—levied on those to die the next week after their admission, and on those who pine in briefless penury equally with those who eventually realise incomes out of which they could with ease pay a hundredfold the duty which presses so hardly on their unfledged brethren. There are similar charges on admissions to some other professional degrees and offices—none on the privilege to undertake the much less hazardous, and commonly more profitable, callings of bakers, tailors, dentists, merchants, &c. Then we have charges on university honours, and on admissions to municipal corporations. If a man has occasion for the evidence of a witness in a court of law or equity, and the evidence is given orally, no tax is paid; if it is given in writing, the tax is 2*s.* 6*d.*; but if it is given in an ecclesiastical court, 5*s.* must be paid. Parties who enter into an agreement in writing, where the value of the subject-matter is 20*l.*, must pay 2*s.* 6*d.*; and they pay the same if the value of the subject-matter is a million. But if, in either case, they cannot succeed in expressing their meaning by fewer than 1081 words, or if they wish to give to their agreement a specially binding operation, they must pay 35*s.* at the least. If, however, the agreement relates to the sale of "goods, wares, and merchandises," to any amount, it is exempt from duty. If a man wishes to give moveable goods to another, he may do so free of duty; but if he is inclined to make a gratuitous conveyance of land, in the form of a bargain and sale, for a nominal consideration, he must pay 5*l.*, although, had a few talismanic words been inserted in the deed under which he derives his title, he might have got off for 35*s.* If a man buys goods to any amount, he pays no duty; if he buys leaseholds for 10*l.*, he pays a duty of 1*l.*; but if the tenure happens to be freehold, the value being the same, he pays 2*l.*; and if a complicated title, after putting him to great expense in the investigation, obliges him to have a long conveyance, or several

deeds instead of one, he may have to pay four or five times that sum. If a man, being of good credit, borrows 1000*l.* on his promissory-note, he pays 8*s.* 6*d.*; but if, being a poor devil on the brink of ruin, he is obliged to mortgage his only estate for the same sum, he pays 5*l.*, which, in case of insolvency, is, in fact, paid by his defrauded creditors; and if, having mortgaged one estate, he obtains another, and throws it in as a further security, to stop a foreclosure or sale, he pays 1*l.* 15*s.*; but if his heir does the same thing, he must pay 5*l.* If a man, who has occasion for 10,000*l.*, is possessed of unincumbered estates of three times the value, he sends a bundle of title-deeds to his banker and draws for the amount, free of duty; but if his estates are barely worth that sum, he must give a formal mortgage, with powers of sale, bearing stamps to the amount of 15*l.* or 16*l.* A settlement of 15,000*l.* in money pays 20*l.*; a settlement of a whole county of real estate may be effected for 1*l.* 15*s.* A tradesman, whose bills are settled in sums exceeding 5*l.*, pays a large annual tax for receipts; one who takes money to ten times the annual amount, in dribblets under 5*l.*, pays nothing for receipts; and barristers and physicians are equally exempt from that tax. If a man pays a debt without a witness, and takes a receipt which is not properly stamped, he may thank the honesty of his creditor if he is not made to pay it over again. If, by neglect or error, a deed executed twenty years ago was insufficiently stamped, the effect may be, (and daily is), that, on the trial of an action, the rightful claimant is defeated, and has to pay all the costs of unsuccessfully seeking to recover his own property. Receipts, bills of exchange, and promissory-notes cannot be stamped after execution; and other instruments, if a year has elapsed, are stamped only on payment of a heavy penalty. Of all dishonest defences, those founded on the insufficiency of stamps are the most frequent. Lastly, in the thousand transactions in which no pecuniary consideration appears, and which are, therefore, not subject to any *ad valorem* duty, but which require to be evidenced by deed, a uniform stamp of 1*l.* 15*s.*, with a progressive duty of 1*l.* 5*s.*, is imposed, whether the subject-matter is an adjustment of a transaction involving loss to all parties concerned, or is a beneficial arrangement of interests to the value of several millions.

Such are some of the features of a tax which, in theory, as we have said, is a contribution by every man, in proportion to his means, to a government, whose first duty is to administer justice freely, and to remove obstacles in the way of the various useful or harmless pursuits of its subjects. If the attention of the public were directed to the working of this most clumsy and pernicious impost, the contrivance of which would disgrace a South Sea islander, it would not be allowed longer to oppress the needy, to fetter the daily business of life, and to encourage fraud.

The interests of the Profession and of the public equally demand a total repeal of these duties, and a substitution (for want of a better tax) of an equivalent percentage on property and income. The unpopularity of the income-tax cannot extend to such a measure, because it would be a simple addition to a comparatively just charge, in lieu of a most odious and vexatious one. And if it is hoped that the income-tax may one day be abolished, the same source of income that will be provided in lieu of the existing tax will furnish a substitute for the proposed addition to it.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—Charles Hodgson, of Selby, Yorkshire; John George Brown, of Newcastle-upon-Tyne.

Correspondence.

COUNTY COURTS.

TO THE EDITOR OF "THE JURIST."

Sir,—The projected extension of these courts to 50*l* necessarily draws attention to the working of the system at present in existence; and, notwithstanding the well-deserved praise which has been accorded to the general principle of speedy and cheap justice, there is in the commercial community much and well-founded alarm at the manner in which that principle has been carried out.

The county courts have been called by their opponents "plaintiffs' courts;" this is a misnomer. By the mode in which their jurisdiction has been exercised, they are much more entitled to the appellation of "defendants' courts."

In legislating on the subject of the recovery of debts, it should be remembered, (but seems very generally to be forgotten), that in the vast majority of cases there is, in reality, no dispute as to the amount which the plaintiff claims to be due and the defendant owes, the cause of proceedings being either the unwillingness or inability to pay.

The general complaint against the superior courts is not only the expensive course of procedure before a judgment can be obtained, but the facilities which a knavish defendant possesses of postponing that evil day—the day of payment. But with all the vexations to which a plaintiff is exposed by proceeding in the superior courts, when he does obtain judgment it is absolute and unfettered. Not so in the county courts; there, when he commences proceedings, he may be kept waiting from three to six or even eight weeks before the cause is heard; he is then to go prepared to prove his case in a legal manner, whether his demand be disputed or not; and when he has proved it, and shewn, that, prior to instituting his suit, he was entitled to immediate payment from the defendant, instead of obtaining a judgment to that effect, the court interposes, and grants the defendant any time it pleases for payment, either by instalments or otherwise; and a plaintiff is exposed to more trouble and vexation in seeking to enforce the judgment pronounced in his favour, than he has previously been to obtain it.

It appears to me, Sir, that this interference with the contracts of parties is wrong in principle, and it certainly leads to very great vexation and injustice in practice. When A. has made a contract with B., that A. will pay B. a certain sum of money on a certain day, on what principle of justice can any court interfere to vary the contract between them? The court has properly to inquire what was the contract between A. and B., but when that has been judicially ascertained, I submit it ought not to interfere to alter that contract in favour of the defaulting party. It will be said, that it is for the benefit of the plaintiff that the court grants a defendant time to pay by instalments, or otherwise. To this I answer, that plaintiffs are the best judges of any benefit to themselves, and that, if they think they will be better off by shewing indulgence, they will of their own accord grant it. Practically, such interference with the rights of plaintiffs has been attended with great injustice. It gives a fraudulent defendant an opportunity to make away with his available property for his own benefit, or that of a favoured creditor. Unless there be a legal state of insolvency, in which the assets of a debtor are taken into the custody of the law, to be administered equally for the benefit of his creditors, the interference with the contracts between debtor and creditor is an unwarrantable jurisdiction, exercised at the caprice of a court, which can have no proper means of telling whether it

is or is not opening the door to fraud and injustice. The introduction of this principle from the courts of requests to the county courts is, therefore, making the latter courts partial courts of insolvency, without the adequate means of securing the benefit of an equal dividend to the unfortunate creditor.

The principle against which I am contending is not recognised by the superior Courts; if it be a just one, it clearly is as applicable to debts of large as to those of small amounts—to 5000*l*. as well as to 50*l*. or to 5*l*.; yet if, in an action in one of the superior courts, a defendant applies to a judge to stay proceedings, on payment of the debt and costs at a future day, or by instalments, he is told by the judge, "Unless the plaintiff consents, I have no jurisdiction, and your application is dismissed." Why should such a jurisdiction be intrusted to the judges of the county courts, and not to the judges of the superior courts? This anomaly, in truth, now actually exists—that if A. has two debts of 5*l*. each owing to him, one from B., who lives within twenty miles of him, and which must be sued for in the county court, and another from C., who lives more than twenty miles from him, and may be recovered in the superior court, in the case against B., A. recovers a judgment in the county court, which is ordered to be paid by monthly instalments of 5*s*. or 10*s*., whilst in that against C. he recovers judgment and execution for the whole amount at once. And be it observed, that if the defendants in both cases make no defence to the proceedings, the judgment and execution in the superior court is generally obtained in a shorter time than it takes to come to a hearing in the county court.

I cordially agree with the opinion expressed in your valuable journal, that it is necessary to remodel our present system, "either by simplification of procedure in the superior courts, or by giving a jurisdiction to the county courts, accompanied with such wholesome regulations as may enable the public to have good law as well as speedy law in those courts." But I consider the principle to which I have adverted is so vicious, that it is of the utmost importance that the attention of the Profession, the public, and the Legislature should be called to it; and also, that before the jurisdiction of the county courts be hastily extended to larger amounts, diligent inquiry should be made into the practice and proceedings of these courts as at present constituted, which I am quite certain are susceptible of great and needful amendments.

Should you deem this letter worthy of a place in your valuable journal, I may, perhaps, hereafter again trespass on your patience, to endeavour to point out some of the evils which, in my opinion, exist in the practice of the county courts, and the reasons why they have been so very generally shunned by nearly all the members of high standing and character in that branch of the Profession to which I have the honour to belong.

I am, Sir, your obedient servant,

A CITY ATTORNEY.

TO THE EDITOR OF "THE JURIST."

Sir,—I think it ought to be known to the Profession, that the court of record for the borough of Southwark is still available for the recovery of all debts and damages to any amount arising within the ancient borough of Southwark; that is to say, the five parishes of St. Saviour, (except the Clink Liberty), St. Olave, St. John, St. Thomas, and St. George the Martyr.

The borough court is a court of record by prescription, of which the Recorder of London, as Steward of Southwark, is the judge.

The court days are every Monday, when steps can be taken in actions pending. The proceedings are by plaint, on which a *capias* issues, returnable on the next

court day, when a declaration may be filed *de bene esse*. The defendant has till the following court day to appear, and another week to plead; and on issue being joined, a week's notice of trial is given. Courts are held periodically before the recorder and a jury.

The following counsel have been appointed by the recorder, viz. Mr. Payne, Mr. Carrington, Mr. Ryland, Mr. Locke, Mr. Edmund Law, Mr. Laurie, Mr. Randall, and Mr. R. J. Corner.

The attorneys' costs on a *capias* issued and served are 1*l.*, and the costs of a cause tried amount to about 10*l.*

There were formerly only three attorneys entitled to practise in the court, but the stat. 6 & 7 Vict. c. 73, c. 27, authorises all attorneys of the superior courts at Westminster to practise in courts of inferior jurisdiction, on production of their admissions in the superior courts and their certificates, and on signing the roll. Several gentlemen have availed themselves of this privilege, and been admitted.

As one of the three original attorneys of the court, I have long been desirous that the practice should be thrown open to the Profession, but difficulties presented themselves in departing from the ancient number of attorneys in a prescriptive court, which difficulties the above statute has removed, and the recorder has been pleased to admit all such respectable solicitors as have applied to him, on their giving previous notice of their intention to apply to the ancient attorneys of the court, in order that they may shew cause, if necessary, why the parties applying should not be so admitted.

I remain, Sir, your obedient servant,

GEORGE R. CORNER,
Prothonotary of the Court.

19, Tooley-street, Southwark,
4th April, 1850.

Court Papers.

EQUITY CAUSE LISTS, EASTER TERM, 1850.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C. Costs*—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*SA.* Short.

Rolls Court.

JUDGMENTS RESERVED.

Holl v. Gordon }
Holl v. Holl }
Thorner v. Sheard }
Howard v. Prince } (F D, C,
Same v. Stapleton } Ptn)
Same v. Howard }
Att.-Gen. v. Dalton (Cause)

PLEAS AND DEMURRERS.

Dean and Chapter of Ely v. Gayford S O
Same v. Waddelow S O
Same v. Same S O
Same v. Bliss S O
Same v. Shillito S O
Same v. Hensley S O
Lewis v. Baldwin (Objection for want of parties) S O
Minn v. Stant (Objection for want of parties) S O
Ashham v. Barker (D) S O

CAUSES.

Stourton v. Jerningham S O
to present petition

Gas Light and Coke } (F D,
Co. v. Symonds } C)
Symonds v. Gas Light } S O
and Coke Co. } till
Stillman v. Gas Light } after
and Coke Co. } re-
port on Exceptions
Baynton v. Hooper } S O to
Baynton v. Hooper } amend
Johnson v. Thomas S O to add
parties
Hele v. Bexley } (E, F D,
Hele v. Bexley } C) S O
Hele v. Bexley } until after
Hele v. Bowyer } trial of ac-
Hele v. Donovan } tion at law
Hargrave v. Hargrave (F D, C)
Mich. Term
Rooth v. Tomlinson (pt. heard)
Langdale v. Morrison
Coxhead v. Babb
Same v. Same
Meddowcroft v. Campbell }
Same v. Hughes }
Ballenger v. Hawes }
Buck v. Denis }

Gregory v. Davies
Penraddock v. Hammond
Johnstone v. Thompson
Cotton v. Clark
Morgan v. Morgan } (E)
Morgan v. Pulman }
Lines v. Pulman }
Guardner v. Boucher
Moore v. Smith
Denne v. Denne
Ellis v. Bowman
Moss v. Moss
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Biddles v. Jackson }
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Palmer v. Knight } C)
Wood v. Shallard } (F D, C)
Wood v. Shallard }
Whicker v. Hume } (E)
Hume v. Gilchrist }
Lewis v. Lewis } (F D, C)
Lewis v. Duggin }
Biederman v. Seymour (F D,
C)
Harley v. Hawkshaw
Kirkman v. Mister (F D, C)
Gresley v. Earl of Chesterfield
(F D, C)
Creak v. Irvine
Kewney v. Bradshaw
Lautour v. Holcombe
Lautour v. Farquhar
Lautour v. Major-
banks } (F D,
Lautour v. Lautour } C)
Lautour v. Majorbanks
Gregory v. Spencer
Cohen v. Wilkinson

Mount v. Mount
Triston v. Hardy
Duberly v. Day
Attorney-Gen. v. Colegrave
Mules v. Jennings
Weymouth v. Davis } (F D,
Kendall v. Davis } C)
Kendall v. Davis }
Weymouth v. Taylor }
Att.-Gen. v. Churchill } (F D,
Att.-Gen. v. Churchill } C)
Att.-Gen. v. Baker }
Att.-Gen. v. Mayor of Glou-
cester
Lumsden v. Morison
Fisher v. Hepburn (F D, C)
Godeffroy v. Morison
Chapman v. Chapman }
Chapman v. Pennell }
Att.-Gen. v. Brook } (Re-
Att.-Gen. v. Brook } hearing)
Royds v. Royds (F D, C)
Edgley v. Lloyd
Wilcock v. Mitchell (Ptn) SA
Gooch v. Gooch } (F D, C)
Gooch v. Clarke }
Matthews v. Bradshaw } (E)
Matthews v. Leybun }
Jenner v. Shaw (F D, C)
Petre v. Petre (F D, C)
Bowler v. Fraser (F D, C, Ptn)
NEW CAUSES.
Attorney-Gen. v. Newcomon
Melson v. Kemp
Chancellor v. Morecraft SA
Whicker v. Hume
Newry, Warrenpoint, & Ros-
trevor Railway Co. v. Moss
Kerby v. Barton } (F D, C)
Barton v. Barton }

London Gazettes.

TUESDAY, APRIL 16.

BANKRUPTS.

EDWARD HOILE and JOSEPH WONFOR, Battersea, Surrey, manufacturing chemists, April 26 at half-past 11, and May 31 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Cole, 14, Tokenhouse-yard, London.—Petition dated April 6.

THOMAS COLLINGWOOD, Abingdon, Berkshire, butcher, April 27 at 12, and May 30 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Graham, Mitre-court-chambers, Temple, for Graham, Abingdon.—Petition dated April 12.

GEORGE WILLIAMS, Woolwich-common, Woolwich, Kent, builder, dealer and chapman, April 26 at 1, and May 28 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. C. & J. A. Morgan, 15, Old Jewry-chambers, Old Jewry.—Petition filed April 4.

WILLIAM JOHN ALFRED IVE, Merchant's-dock-yard, Deptford-green, and Nelson's-cottage, Bexley-heath, Kent, shipbuilder, dealer and chapman, April 27 at half-past 1, and May 25 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Teague, 5, Crown-court, Cheapside.—Petition dated April 4.

JOSEPH DONOVAN, Oxford-street, Middlesex, fish-monger, May 4 at 1, and May 25 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Moseley, 13, Bedford-street, Covent-garden.—Petition dated April 2.

DANIEL TURTON JOHNSON, HENRY HILDITCH JOHNSON, and GEORGE HILDITCH JOHNSON, Aldermay-churchyard, Watling-street, London, wholesale tea dealers, hop merchants, dealers and chapmen, (trading under the firm of D. T. Johnson & Sons), April 30 at half-past 11, and June 1 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Phillips & Voss, Sise-lane.—Petition dated April 9.

CHARLES JOHN HUBBARD, Crutched-friars, London, and Saffron Walden, Essex, hop merchant, commission agent, dealer and chapman, April 27 at 11, and May 18 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. R. & J. Russell, 23, Martin's-lane, Cannon-street.—Petition dated April 11.

JOSEPH ARUNDELL, Titchfield, Southampton, common brewer, spirit merchant, dealer and chapman, April 25 at half-past 1, and May 23 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Compigne, 24, Bucklebury.—Petition dated April 12.

RICHARD DEAN, Church-street, Trinity-square, Southwark, Surrey, builder, April 25 at 11, and May 23 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Barnard, 14, York-road, Lambeth.—Petition dated April 12.

BENJAMIN SYMES SAUNDERS, Stawell, Moorlinch, Somersetshire, quarryman, dealer and chapman, April 23 at 11, and May 23 (and not on the 3rd as before advertised) at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. G. & R. Poole, Bridgewater, or their agent, Stogdon, Exeter.—Petition filed April 4.

MATTHEW DIXON ROBINSON, Dudley, Worcester-shire, confectioner and lozenge manufacturer, dealer and chapman, May 2 and 23 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Bolton, Dudley; Motteram & Co., Birmingham.—Petition dated April 15.

ALEXANDER BROWN and WILLIAM TODD, Liverpool, provision merchants, dealers and chapmen, May 6 and June 3 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Bell, Liverpool.—Petition dated April 11.

DAVID HENRY BERESFORD, Stockport, Cheshire, linendraper, May 2 and 30 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Slater, Manchester.—Petition filed April 8.

GEORGE ALEXANDER VON DOMMER, Newcastle-upon-Tyne, merchant, April 30 at half-past 10, and May 28 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Griffith & Crighton, Newcastle-upon-Tyne; Lawrence & Co., 25, Old Fish-street, Doctors'-commons, London.—Petition filed April 4.

MEETINGS.

George Jameson, Newcastle-upon-Tyne, mercer, April 24 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Thomas Mees*, Brierley-hill, Staffordshire, boiler manufacturer, May 1 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Jos. Wm. Gardiner*, Wotton-under-Edge, Gloucestershire, teazle merchant, May 3 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Jas. Chas. Simpson*, Sheffield, Yorkshire, pawnbroker, April 27 at 10, District Court of Bankruptcy, Sheffield, and. ac.—*John Bridgeford*, Sheffield, Yorkshire, printer, April 27 at 10, District Court of Bankruptcy, Sheffield, and. ac.—*Edward Thomas Delafeld*, Mivart's Hotel, Brook-street, Grosvenor-square, and Willow-bank, Falmouth, Middlesex, brewer, May 9 at half-past 11, Court of Bankruptcy, London, div.—*J. Webster*, Southgate, Middlesex, dealer in mining shares, May 9 at 12, Court of Bankruptcy, London, div.—*Wm. Benj. Blaber*, Little Britain, London, plumber, May 10 at half past 11, Court of Bankruptcy, London, div.—*W. Buddle*, Irongate-wharf, Paddington, Middlesex, timber merchant, May 10 at 12, Court of Bankruptcy, London, div.—*John Hilton Bazley*, Manchester, and *Hussey Chapman*, King-street, Cheapside, London, warehousemen, May 7 at 12, District Court of Bankruptcy, Manchester, div. sep. est. of *H. Chapman*.—*Edw. Tyler Coleman*, Leominster, Herefordshire, and *Carnaby-street*, Marylebone, Middlesex, scrivener, May 15 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Webster, Southgate, Middlesex, dealer in mining shares, May 9 at 12, Court of Bankruptcy, London.—*George Stone*, Colchester, Essex, grocer, May 8 at 12, Court of Bankruptcy, London.—*Abraham Wheeler*, Buckingham, cabinet maker, May 7 at 1, Court of Bankruptcy, London.—*Henry Watts*, Upper Bryanstone-street, Bryanstone-square, Middlesex, corn dealer, May 7 at half-past 11, Court of Bankruptcy, London.—*David Blackburn*, Hebden-bridge-lanes,

Heptonstall, *Thomas Pickles*, Hebden-bridge, *David Crabtree*, Bloomersgate, Midgley, and *Wm. Blackburn*, Hebden-bridge-lanes, Halifax, Yorkshire, cotton spinners, May 7 at 11, District Court of Bankruptcy, Leeds.—*C. T. Glover*, Manchester, smallware dealer, May 9 at 12, District Court of Bankruptcy, Manchester.—*Henry Jas. Hinsman*, Bury, Lancashire, apothecary, May 8 at 11, District Court of Bankruptcy, Manchester.—*J. Murgatroyd*, Pendleton, near Manchester, cotton spinner, May 6 at 12, District Court of Bankruptcy, Manchester.—*John Price*, Birmingham, chairmaker, May 15 at 12, District Court of Bankruptcy, Birmingham.—*C. S. Flood and H. B. Lott*, Honiton, Devonshire, bankers, May 22 at 11, District Court of Bankruptcy, Exeter.—*Wm. Hamley*, Crockernwell, Devonshire, victualler, May 22 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

T. J. Colson and Wm. M. Colson, Upper Holloway, Fins Barnet and Bella-style, near Southgate, Middlesex, brick-makers.—*Geo. L. Selby*, Taunton, Somersetshire, baker.—*Wm. R. Barnard*, Midhurst, Sussex, upholsterer.—*Thomas Cooper the elder*, Wolverhampton, Staffordshire, locksmith.—*Wm. H. Malpas*, Nottingham, innkeeper.—*Henry Selciff and Jos. W. Harris*, Rochdale, Lancashire, cotton spinners.—*Wm. Puleston*, Wrexham, Denbighshire, draper.

FIAT ANNULLED.

John Howard, Leeds, Yorkshire, cloth merchant.

PARTNERSHIP DISSOLVED.

Samuel Edwards and Francis Thos. Selby, Spalding, Lincolnshire, attorneys, solicitors, and conveyancers.

SCOTCH SEQUESTRATIONS.

Peter Montgomerie, deceased, Port-Glasgow, merchant.—*Alexander Malcolm*, Kirkaldy, wood merchant.—*Wm. & L. Telfs*, Edinburgh, printers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Guppy, Wootton, Southampton, out of business, May 17 at 10, County Court of Hampshire, at Lymington.—*James Wild Wateridge*, Lyndhurst, Hampshire, carpenter, April 26 at 10, County Court of Hampshire, at Southampton.—*John Smith*, Stockton-on-Tees, Durham, butcher, April 26 at 11, County Court of Yorkshire, at Scarborough.—*Charles W. Fellows*, St. Mary, Southampton, baker, April 26 at 10, County Court of Hampshire, at Southampton.—*Henry Eads*, Holy Rhood, Southampton, hairdresser, April 26 at 10, County Court of Hampshire, at Southampton.—*Wm. Chas. Scarborough*, Yorkshire, out of business, April 26 at 11, County Court of Yorkshire, at Scarborough.—*Thomas Valentine*, Southampton, chemist, April 26 at 10, County Court of Hampshire, at Southampton.—*Jonathan Tuck*, Norton, Suffolk, beer-seller, April 29 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Jabin Roberts*, Great Grimsby, Lincolnshire, grocer, May 14 at 1, County Court of Lincolnshire, at Great Grimsby.—*James Robinson*, Gainsborough, Lincolnshire, currier, May 13 at 11, County Court of Lincolnshire, at Gainsborough.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 30 at 11, before Mr. Commissioner HARRIS.

Samuel Wiltshire Walker, Wilton-terrace, Old Kent-road, Surrey, writing master.—*Frederick Butler*, Kent-terrace, Coburg-road, Surrey, out of business.—*Henry Cohen*, Cox's-square, Bell-lane, Spitalfields, Middlesex, dealer in fruit.

April 30 at 10, before Mr. Commissioner LAW.

Charles Alford, Rosemary-lane, Minories, Aldgate, Middlesex, baker.

May 1 at 11, before the CHIEF COMMISSIONER.

Edward Sorrell, New-road, Whitechapel, Middlesex, commission agent.—*James Groom*, Hare-street, Woolwich, Kent,

batter.—*Wm. John Norris*, Winsor-terrace, Cooper's-road, Old Kent-road, Surrey, messenger in the office of the Lord Privy Seal.

May 1 at 10, before Mr. Commissioner LAW.

Wm. Gardner the elder, Old-street, St. Luke's, Middlesex, carver.—*Edward Parratt*, Park-village West, Regent's-park, Middlesex, clerk to the Royal Mail Steam-packet Company, Strand, Middlesex.

May 2 at 11, before the CHIEF COMMISSIONER.

John Wm. Butcher, Orchard-place, Plumstead, Woolwich, Kent, carpenter.

Saturday, April 13.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Kite, Wilton-terrace, New North-road, Islington, Middlesex, coal merchant, No. 61,309 T.; *John Patient*, assignee.—*Edw. Hall*, Gravel-lane, Southwark, Surrey, licensed victualler, No. 61,311 T.; *Richard Parker*, assignee.—*Alfred Knott*, Stoke-next-Guildford, Surrey, miller, No. 61,313 T.; *Henry Green*, assignee.—*John Thompson*, Long-lane, Bermondsey, Surrey, salesman to a cheesemonger, No. 61,332 T.; *David Wm. Dean*, assignee.—*Wm. C. Wright*, Birkenhead, Cheshire, civil engineer, No. 72,102 C.; *William Pringle*, assignee.

Saturday, April 13.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions.)

George Eli Wright, Queen-st., Edgeware-road, Middlesex, parchment label manufacturer: in the Queen's Prison.—*Wm. Brown*, Hawley-crescent, Kentish-town, Middlesex, manufacturing jeweller: in the Debtors Prison for London and Middlesex.—*James Balls*, Chandos-st., Covent-garden, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*George Gubby*, Bagnigge-wells-road, Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*Edwin Harrison*, Royal Mint-street, Tower-hill, Middlesex, assistant to an eating-house keeper: in the Debtors Prison for London and Middlesex.—*John Sweetland*, Pancras-street, Tottenham-court-road, Middlesex, milkman: in the Debtors Prison for London and Middlesex.—*John Gibson*, Manor-place, Walworth, Surrey, compositor: in the Debtors Prison for London and Middlesex.—*Henry Lucas*, Albert-terrace, High-row, Knightsbridge, Middlesex, tailor: in the Queen's Prison.—*Henry Pettis*, The Terrace, Albion-road, Stoke Newington, Middlesex, accountant: in the Debtors Prison for London and Middlesex.—*Samuel Bennett*, Hackney-road, Middlesex, corn dealer: in the Debtors Prison for London and Middlesex.—*Mary Gilbert*, widow, Lawrence-lane, Cheapside, London, carrier: in the Debtors Prison for London and Middlesex.—*James Longstreath*, Petter-lane, Holborn, London, eating-house keeper: in the Debtors Prison for London and Middlesex.—*Robert Hicks Mayne*, Great Cambridge-street, Hackney-road, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Mary Carey*, Liverpool, lodging-house keeper: in the Gaol of Lancaster.—*Wm. Headley*, Rothbury, Northumberland, ship-owner: in the Gaol of Morpeth.—*John Onion*, Dallingham, Cambridgeshire, wheelwright: in the Gaol of Bury St. Edmund's.—*Thomas Bedford* the younger, Bristol, in no business: in the Gaol of Bristol.—*Thomas Barrow*, Lewisham, Kent, beer-shop keeper: in the Gaol of Maidstone.—*John Green*, Dudley, Worcestershire, victualler: in the Gaol of Worcester.—*James Griffiths*, Hereford, milkman: in the Gaol of Hereford.—*John M' Donnell*, Liverpool, labourer: in the Gaol of Lancaster.—*Richard Parkinson* the younger, Barholm, near Stamford, Lincolnshire, farmer: in the Gaol of Lincoln.—*James Walker*, Michaelchurch, Easley, Herefordshire, dealer in cattle: in the Gaol of Hereford.—*William Coulson*, Milton, Cambridgeshire, publican: in the Gaol of Cambridge.—*James M' Evey*, Hulme, Manchester, grocer: in the Gaol of Lancaster.—*Samuel Wood*, Manchester, beer-seller: in the Gaol of Lancaster.—*George Wyatt*, West Worthington, Dorsetshire, captain and adjutant of the Dorset militia: in the Gaol of Dorchester.—*Robert Goodill*, Whitby, Yorkshire, mariner: in the Gaol of York.—*Charles Field Roberts*, Orchard-place, Poplar New-town, Middlesex, ship-

owner: in the Gaol of Morpeth, Northumberland.—*Thomas Ashworth*, Rochdale, Lancashire, dealer in cotton waste by commission: in the Gaol of Lancaster.—*Thomas Rayner*, West Burton, near Leyburn, Yorkshire, collier: in the Gaol of York.—*John Roberts*, Trefechan, Ruabon, Denbighshire, sawyer: in the Gaol of Ruthin.—*Frederick Windsor*, Cefn Mawr, Ruabon, Denbighshire, baker: in the Gaol of Ruthin.—*George Withers*, Salford, Lancashire, bookkeeper: in the Gaol of Lancaster.—*Samuel Line*, Hayfield, Glossop, Derbyshire, grocer: in the Gaol of Derby.—*James Pinfold*, Middleton, Cheney, near Banbury, Northamptonshire, innkeeper: in the Gaol of Northampton.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 30 at 10, before Mr. Commissioner LAW.

Roger Farrel, St. Andrew's-hill, London, out of business.

May 1 at 10, before Mr. Commissioner LAW.

Edwin Burbidge, Charles-place, Prince of Wales-road, Camden-town, Middlesex, baker.

May 2 at 11, before Mr. Commissioner PHILLIPS.

John Foster, Beak-st., Regent-st., Middlesex, assistant to a publisher.—*John Mees* the younger, Union-st., Spitalfields, Middlesex, confectioner.—*John Bartholomew Hudson*, Park-st., Dorset-square, Marylebone, Middlesex, coachmaker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Yorkshire, at YORK CASTLE, April 27 at 10.

John Henry Chawcock, York, land agent.—*James Anthony Nichols*, Wakefield, printer.—*John Tulbot*, Dewsbury, carpet manufacturer.—*Joseph Woodhead*, Pudsey, near Leeds, cloth miller.—*Samuel Ward*, Stanningley, near Leeds, cloth weaver.—*Wm. Heslop*, Mirfield, near Dewsbury, joiner.—*Wm. Wilson Thompson*, Goole, out of business.—*Jos. Holroyd*, Dalton, near Huddersfield, grocer.—*John Birch*, Skelmanthorpe, near Huddersfield, out of business.—*Geo. Lamb*, Leeds, butcher.—*Thomas Outkwaite*, Skipton, near Catterick, farmer.—*Luke Normington*, Cleckheaton, near Leeds, machine maker.—*James Simkinson*, Cleckheaton, near Leeds, machine maker.—*Edward Snowden*, York, timber merchant.—*Charles Potter*, Scarborough, Yorkshire, coach painter.—*Jos. Bannister*, Bradford, out of business.—*Abraham Maches*, Brotherton, near Ferrybridge, railway labourer.—*J. Milner*, Sutton-upon-Darwent, farmer.—*John Kirkhouse French*, Huddersfield, in no trade.—*George Parsons*, Sheffield, out of business.—*Thomas Naylor*, Barnsley, out of business.—*Wm. Shaw*, Meltham, near Huddersfield, clothier.—*Joseph Carver*, Wakefield, out of business.

At the County Court of Herefordshire, at HEREFORD, May 16 at 10.

James Walker, Easley, dealer in cattle.

At the County Court of Hertfordshire, at HERTFORD, April 29.

Humphrey Tompkins, Tring, farmer.—*James Clements Mumford*, Bishop's Stortford, British wine merchant.

INSOLVENT DEBTORS' DIVIDENDS.

Henry Orles, London-road, Southwark, Surrey, upholsterer: 1s. 9d. in the pound.—*Benj. Cutburt*, Penny-fields, Poplar, Middlesex, clothes: 2s. 9d. in the pound.—*Robert Brown*, Liverpool, manager to a licensed victualler: 1s. 8d. in the pound.—*John Bertin*, Curtain-road, Shoreditch, Middlesex, chair manufacturer: 2s. 3d. in the pound.—*Jonathan Taylor*, Easendon, West-end, Hertfordshire, straw carter: 1s. 2d. in the pound.—*Harry Robson*, William-st., New North-road, Islington, Middlesex, Italian warehouseman: 2s. 2d. in the pound.—*Robert Sheld*, Penryn, Cornwall, lieutenant in the Navy: 2s. 8d. in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

FRIDAY, APRIL 19.

BANKRUPTS.

- SAMUEL JACOBSON JACKSON**, Richmond-buildings, Soho, Middlesex, picture dealer, cloth dealer, dealer and chapman, April 26 at half-past 12, and May 31 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Taylor, 25, Bucklersbury.—Petition dated April 12.
- GEORGE WINTER**, Granville-square, Pentonville, Middlesex, merchant and merchant's clerk, April 25 at half-past 1, and June 1 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Jones & Co., 7, Crosby-square, London.—Petition dated April 12.
- SARAH PATTISON**, Winchester, Hampshire, glazier and plumber, dealer and chapman, April 30 and May 31 at 12, Court of Bankruptcy, London: Off. Ass. Stanfeld; Sols. Allen & Nichol, 88, Queen-street, Cheapside.—Petition filed April 16.
- JOHN ARNETT**, St. Dunstan's-hill, London, Custom-house agent, tobaccoist, and cigar dealer, May 2 and June 4 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Lawrence & Co., 29, Old Fish-street.—Petition filed April 5.
- JOHN STORMONT**, Shifnal, Shropshire, iron manufacturer, April 29 and May 27 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Petition dated April 15.
- WILLIAM STORMONT**, Shifnal, Shropshire, iron manufacturer, April 29 and May 27 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Petition dated April 15.
- JAMES M'EVOY**, Hulme, Lancashire, grocer and tea dealer, April 30 and May 28 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Sutton, Manchester.—Petition filed April 10.
- ELIZABETH HART and MARTIN HART**, Northwich, Cheshire, drapers, (carrying on business under the style or firm of Hart & Son), May 7 and June 4 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Tyrer, Liverpool.—Petition dated April 17.
- CHARLES VEALS**, Uffculme, Devonshire, baker, maltster, and chandler, April 30 and May 29 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sol. Turner, Exeter.—Petition filed April 18.
- JAMES BIRD**, Cwmavon, Glamorganshire, grocer, dealer and chapman, April 30 and May 28 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Smith, Bristol.—Petition filed April 12.
- THOMAS WHITMORE ALPORT**, Bristol, ironmonger, May 4 and June 1 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Abbot, Bristol.—Petition filed April 17.
- WILLIAM WILSON THOMPSON**, Goole, West Riding of Yorkshire, butcher, (and now a prisoner in the Castle of York for debt), May 2 and 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Wilson, Goole; Naylor, Leeds.—Petition dated April 6; filed April 10.
- JOSEPH HOLROYD**, Dalton, near Huddersfield, Yorkshire, cotton and worsted dyer, May 2 and 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Edwards, Halifax; Bond & Barwick, Leeds.—Petition dated April 6; filed April 8.
- WILLIAM RAWSON**, Market Rasen, Lindsey, Lincolnshire, cake and seed merchant, dealer and chapman, May 15 and 29 at half-past 12, District Court of Bankruptcy, Leeds: Off. Ass. Carrick; Sols. Rhodes, Market Rasen, Lincolnshire; Stamp, Hull.—Petition dated April 13.

MEETINGS.

Richard Green, Brighton, Sussex, ironmonger, May 4 at 11, Court of Bankruptcy, London, last ex.—*John Bowser*, Milton-street, Dorset-square, Marylebone, Middlesex, timber merchant, May 9 at 12, Court of Bankruptcy, London, last ex.—*Robert Webb*, Great Russell-st., Covent-garden, Middlesex, dealer in ham, May 16 at 12, Court of Bankruptcy, London, last ex.—*Peter Thorn*, Castle-street, Leicester-sq., Middlesex, bottled ale merchant, May 11 at 11, Court of Bankruptcy, London, last ex.—*Wm. Benjamin Blaber*, Little Britain, London, plumber, May 7 at 11, Court of Bankruptcy, London, aud. ac.—*John Sewell Gowing*, Swaffham, Norfolk, bookseller, April 27 at 11, Court of Bankruptcy, London,

aud. ac.—*Nicholas Mould*, Woolwich, Kent, licensed victualler, May 7 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Livermore*, Oxford-st., Middlesex, ironmonger, May 10 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Smith*, Colne and Trawden, Lancashire, cotton manufacturer, May 6 at 12, District Court of Bankruptcy, Manchester, aud. ac.; May 13 at 12, div.—*John Jackson*, South Shields, Durham, common brewer, May 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; May 17 at 11, div.—*Hudon Cranston*, Sunderland, Durham, chemist, May 14 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Angus*, Berwick-upon-Tweed, dealer in glass, May 14 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; May 16 at half-past 10, fin. div.—*Wm. Lee and Joseph Lee*, Sunderland, Durham, ironfounders, May 14 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; May 16 at 1, first and fin. div.—*J. E. Todhunter*, Darlington, Durham, bookseller, May 14 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; May 16 at 1, div.—*George Hutton*, Sheffield, Yorkshire, grocer, May 4 at 10, District Court of Bankruptcy, Sheffield, aud. ac.; May 11 at 10, div.—*Samuel Firth*, Leeds, Yorkshire, linendraper, May 6 at 11, District Court of Bankruptcy, Leeds, aud. ac.; May 14 at 12, div.—*J. Beales*, Halesworth, Suffolk, apothecary, May 11 at 11, Court of Bankruptcy, London, div.—*George Gardner*, Gravesend, Kent, tavern keeper, May 10 at 1, Court of Bankruptcy, London, fin. div.—*Wm. M'Graw*, Skinner-street, Bishopsgate-street Without, London, cabinet manufacturer, May 10 at 1, Court of Bankruptcy, London, div.—*Abraham Davies*, Aston-park, Wm. Shropshire, coal merchant, May 27 at 11, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Edward Perry*, Hay, Breconshire, woollendraper, May 13 at 11, District Court of Bankruptcy, Bristol, div.—*Alex. S. Graham* and *George Smith Streater*, Oldham, Lancashire, contractors for public works, May 13 at 12, District Court of Bankruptcy, Manchester, div. sep. est. of *George S. Streater*.—*James C. Allon*, North Shields, Northumberland, brewer, May 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Wm. L. Oddie*, Clitheroe, Lancashire, scrivener, May 10 at 11, District Court of Bankruptcy, Leeds, div.—*J. Howson*, Whitby, Yorkshire, keeper of an hotel, May 10 at 11, District Court of Bankruptcy, Leeds, div.—*Joseph Smith and Robert Smith*, Kirkburton, Yorkshire, fancy cloth manufacturers, May 10 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Livermore, Oxford-st., Middlesex, ironmonger, May 10 at 11, Court of Bankruptcy, London.—*Francis Kemp*, Colchester, Essex, carpenter, May 10 at half-past 1, Court of Bankruptcy, London.—*Jos. Wilbraham*, Church-lane, White-chapel, Middlesex, and Aldgate, London, builder, May 16 at 1, Court of Bankruptcy, London.—*Edward Lord and Wm. Archer*, Painswick, Gloucestershire, millers, May 22 at 11, District Court of Bankruptcy, Bristol.—*Edward Todhunter*, Darlington, Durham, bookseller, May 14 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Benj. Axford*, Devonport, Devonshire, victualler, May 8 at 11, District Court of Bankruptcy, Plymouth.

To be granted, unless an Appeal be duly entered.

John Oliver, Queen's-road, Bayswater, Middlesex, plumber.—*Frederick Collier Christy*, *Frederick Adams*, and *Jama Powell Hill*, Rotherhithe, Surrey, engineers.—*Robert Fulford*, Fulford's-place, Southgate-road, Middlesex, builder.—*Edmund Willcos and John Willcos*, Aberdare, Glamorganshire, grocers.—*Thos. Dawson*, Pontefract, Yorkshire, fishmonger.—*Thomas Martinson Adams*, Holton-le-Beckerling, Lincolnshire, corn factor.

SCOTCH SEQUESTRATIONS.

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INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph Small, Searby-cum-Owmy, Lincolnshire, shoemaker, May 15 at 9, County Court of Lincolnshire, at Caistor.—*George Shepherd*, North Kelsey, Lincolnshire, shoemaker, May 15 at 9, County Court of Lincolnshire, at Caistor.—*James Howard*, Bollington, Cheshire, baker, April 30 at 12, County Court of Cheshire, at Stockport.—*Thomas Portwine*, New Romney, Kent, butcher, May 27 at 11, County Court of Kent, at Romney.—*Mary John*, widow, Llanharan, Glamorganshire, publican, May 4 at 10, County Court of Glamorganshire, at Bridgend.—*Thomas Jenkins*, Gethinog, Llanvigan, Brecknockshire, farmer, May 13 at 10, County Court of Brecknockshire, at Brecknock.—*William Dawson*, Allonby, Cumberland, shoemaker, May 1 at 11, County Court of Cumberland, at Wigton.—*Sarah Dancocks*, widow, Bath-road, near Worcester, out of business, May 8 at 10, County Court of Worcestershire, at Worcester.—*George Brunt*, Wisbech St. Peter, Cambridgeshire, innkeeper, May 10 at 12, County Court of Cambridgeshire, at Wisbech.—*H. Piercey*, Brighton, Sussex, tailor, April 26 at 12, County Court of Sussex, at Brighton.—*Charles Searle*, Brighton, Sussex, saddler, May 10 at 12, County Court of Sussex, at Brighton.—*John Price*, Kington, Herefordshire, innkeeper, May 13 at 1, County Court of Herefordshire, at Kington.—*James Powell*, Builth, Brecknockshire, saddler, May 16 at 10, County Court of Brecknockshire, at Builth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 3 at 10, before Mr. Commissioner LAW.

Harriet Hogg, St. George's-road, Southwark, Surrey, coffin maker.

May 4 at 11, before Mr. Commissioner PHILLIPS.

Joseph Taylor, Ossulston-street, Somers-town, Middlesex, baker.—*James Packer*, Crawford-street, St. Marylebone, Middlesex, poulterer.—*James Johnson*, High-street, White-chapel, Middlesex, tripe dresser.—*G. H. Fenwick*, Kennington-green, Kennington-common, Surrey, civil engineer.

May 6 at 10, before Mr. Commissioner LAW.

Hen. Clode, Albion-street, Rotherhithe, Surrey, colometer.—*G. Morgan*, Eaton-street, New-cut, Lambeth, Surrey, cow-keeper.

May 6 at 11, before Mr. Commissioner PHILLIPS.

The Rev. Robt. Jones, Augusta-place, Lower-road, Rotherhithe, Surrey, clerk in holy orders.

May 3 at 10, before Mr. Commissioner LAW.

Adjourned.

William Rice, Goldsmith-row, Gough-square, Fleet-street, London, baker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 3 at 11, before Mr. Commissioner HARRIS.

George Anderson, Holly-place, Hampstead, Middlesex, surgeon.—*Richard Nunn*, Albert-grove, Morpeth-road, Victoria-park, Bethnal-green, Middlesex, carpenter.—*Fisher Ablett*, Upton-road North, De Beauvoir-square, Kingland, Middlesex, out of business.—*Mary Ann Collett*, widow, Kingston-upon-Thames, Surrey, licensed victualler.

May 3 at 10, before Mr. Commissioner LAW.

Wm. Cripps, New North-street, Red Lion-square, Middlesex, coal dealer.—*Edwin Harrison*, Royal Mint-st., Tower-hill, Middlesex, assistant to an eating-house keeper.

May 4 at 11, before Mr. Commissioner PHILLIPS.

Lewis Phillips, Newcastle-st., Strand, Middlesex, out of business.—*James Cochrington*, Drury-lane, Middlesex, bread-seller.

May 6 at 11, before the CHIEF COMMISSIONER.

John Clancy, Great Castle-st., Regent-st., Middlesex, lieutenant in her Majesty's 15th regiment of Hussars.—*John Dobson*, Old Gravel-lane, St. George's-street, St. George's-in-the-East, Middlesex, ship joiner.—*Henry Valentine Smith*, Brompton-square, Brompton, Middlesex, accountant.—*John James* the elder, Buckingham-place, Fitzroy-square, Middlesex, schoolmaster.

May 6 at 10, before Mr. Commissioner LAW.

Henry Pettie, The Terrace, Albion-road, Stoke Newington, Middlesex, clerk to an accountant.—*George Hughes*, Peter-sham, near Richmond, Surrey, bricklayer.

May 3 at 10, before Mr. Commissioner LAW.

Adjourned.

Wm. Quinlan Quin, Caroline-st., Eaton-sq., Middlesex, following no trade.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Worcestershire, at WORCESTER, May 8 at 10.

John Green, Dudley, out of business.

At the County Court of Cornwall, at BODMIN, May 8 at 10.

Warwick Guy, Endellion, farmer.

At the County Court of Warwickshire, at COVENTRY, May 7.

Humphrey Woodhouse, Birmingham, tortoiseshell box manufacturer.—*Wm. J. Dunn*, Birmingham, attorney at law.—*Joseph Hulce*, Birmingham, refiner.

At the County Court of Yorkshire, at SHEFFIELD, June 5.

Thomas Hasland, Sheffield, bailiff.

At the County Court of Berkshire, at READING, May 6.

Alfred Wainwright, Pangbourne, in no business.

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LONDON, APRIL 27, 1850.

THE revolution in the Court of Chancery has begun in earnest. This week are published the New Orders, and we think we may say, without fear of exaggeration, that they do not trifle with the subject. The change that they positively and immediately effect is great; the changes of which they are the forerunners may be still more vast and important.

The Orders do not in terms apply to any but suits of a special class, viz. those enumerated in the 1st Order, which do not include what are generally termed *contested suits*. For instance, they do not expressly apply to a suit for setting aside a fraudulent conveyance; for fixing a trustee with a breach of trust; for enforcing the performance of a parliamentary or other contract, not being a contract for the sale or purchase of land; for restraining the infringement of a patent, or any other legal right; for rectifying a settlement, &c.; nor for construing a written instrument, when the construction of such instrument is really the only thing that the parties desire. Neither are the Orders absolutely imperative, even with reference to the subjects enumerated in the 1st Order. But there are two most material Orders, viz. the 6th and the 32nd, the last of which, in effect, makes the adoption of the mode of proceeding prescribed by the Orders compulsory for all the subjects comprised in the 1st Order; and the first of which (the 6th) will, we apprehend, indirectly compel a resort to the new mode of proceeding in all but a very small number of excepted cases. For, first, with regard to the 32nd Order, no person will be likely to be advised to take the risk of paying the extra costs consequent on a proceeding by bill and answer, if it is at all

possible to bring his case within the New Orders; and, secondly, with regard to the 6th Order, it is probable that not only will plaintiffs be desirous of availing themselves of the new mode of proceeding, if possible, although the case may not be one of those named in the 1st Order, but that, although not expressly required to do so, the Court will, if the old procedure be adopted, have regard, in directing costs, to the question whether the new procedure might not have been properly adopted if rights only, and not costs, had been the object.

Nor do we see that, in a great majority of suits, there will be great difficulty in adapting, under the sanction of the 6th Order, the new procedure to cases not expressly comprised in the 1st Order and Schedule (A.)

Take, for instance, such a case as *Gibson v. Russell*, (2 Y. & C. 104)—a good sample of a suit for setting aside a conveyance, on the ground of fraud and undue influence.

Now, adopting the principle of the forms of claims contained in Schedule (A.), the claim in such a case would be, that the plaintiff's ancestor had conveyed certain property by a certain deed (referring to, but not setting it out) to the defendant; that, in reality, no money had been paid; that the grantor was, at the time of the conveyance, old and infirm, and had been deluded or unduly pressed into making a gift, purporting to be a sale; and claiming that the deed should be set aside and delivered up. On this the defendant would, at the time fixed for shewing cause, do so, on an affidavit stating his grounds of defence; and thereupon it may be presumed, that the Court might, under the 13th Order, either direct evidence to be gone into, or the defendant to be examined on interrogatories, or such other proceedings as it should deem requisite for ascertaining the plaintiff's title to relief; and, these

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things being done, the cause would then come on for argument in the usual way.

Whether it is expected that the New Orders will be applied in this mode, we are, of course, uninformed; but it appears to us, that they are certainly susceptible of being so applied, to some considerable extent.

Of their precise operation, in reference to the subjects to which they expressly apply, it is difficult to form an opinion, and we shall at present offer none, except that it may be confidently anticipated that they will very materially expedite and cheapen Chancery proceedings, and that they will, probably, make a great change in the *nature* of the professional occupations of junior counsel at the Chancery Bar. Great quantities of mere writing, untinged by any intellectual colouring, will obviously be annihilated; also many briefs, which, if they required reading, did not at any rate require thinking, will be of the things that have been. The function of the junior Bar will be less that of the draftsman, and more that of the advocate. As regards Chancery solicitors, there is strong ground for anticipating that the effect of the new mode of proceeding will be greatly to increase the amount of that class of business which is peculiarly in their department. But whatever may be the influence of the New Orders on the occupations of both branches of the Profession, we hope and believe it will be their pleasure, as it will unquestionably be their duty, to do all in their power to aid the Court in making them work beneficially.

Correspondence.

COUNTY COURTS AND COMMON LAW.

TO THE EDITOR OF "THE JURIST."

Sir,—As it seems particularly desirable now to hear the views of the Profession on the above subject, I have troubled you with the following.

My remarks apply to England generally, but, for the purpose of illustration, I take one county, namely, Essex, and its ten districts.

Each of the ten districts has a separate assistant clerk and office, (the office being the clerk's office of the attorney hereinafter mentioned), and a judge, who, though county court judge of Essex, sits by virtue of ten different appointments, and the chief clerk the same, and the powers of the judge in the district cease when he vacates his seat, and remain in abeyance until he again makes his monthly circuit. The duties of the chief clerk (with the exception of attending the court sittings) are mainly performed by ten practising attorneys.

Suppose the debtor to reside within the district assigned to the Halsted Court, or to Braintree or Rochford District Court, and the creditor to reside at Chelmsford or Maldon—first, the creditor must go or send to Halsted or Braintree, as the case may be, for his plaint, for which he has no allowance; secondly, he must attend the hearing—for his journey thither to prove his case, if a plaintiff, there is no allowance, either for him or his attorney; thirdly, in order to issue execution—which is not done without the order to pay being previously served—he must go or send to Halsted or Braintree, as the case may be, to ascertain whether the money is paid in, for which there is no allowance; and, fourthly, after issuing the execution, he must attend personally, or send, if he employed an attorney, to receive the proceeds of his judgment, and for which there is no allowance. Nay, more; on receiving his money out of court, he is charged with a receipt stamp on the amount of the total sum received under the

judgment, and not on the amount claimed, and which generally requires a stamp of less amount than the amount of the judgment. These are his *new* extra costs.

There ought to have been, where counties have been thus subdivided, an office through which plaints might be issued, and forwarded to the districts for hearing, and at which instructions for executions might be given, and to which the money levied might be forwarded. The objection of the officers to this plan, that it would withdraw the fees from the subdivision courts, is not well founded. The country is dotted with local district courts, the fees of which, in Essex, do not, in any one of the district courts, pay the salaries of the assistant clerks, and some not even the wages of the clerk who fills up the summons and enters the plaint. The offices would probably be vacant, were it not that these clerks are hoping for extended jurisdiction.

Before the courts are extended, subject to the above observation as to the necessity, in each county, of one central office at least*, I would suggest that the Government should furnish returns of all the summonses on which any excess above 20*l.* has been abandoned; that in cases above 20*l.* a jury should consist of twelve, and not five, persons; that the testimony of the wives of plaintiffs and defendants in all cases be excluded; and that in actions for tort the evidence of the parties be altogether excluded.

As to the law of debtor and creditor, as administered by the superior Courts, it is defective in this—that a defendant can, by entering an appearance, make his creditor go to trial if he wishes to get judgment. The remedy is, no appearance, without recognizances and sureties. Another defect exists in enabling debtors to go through the Insolvent Debtors Court, for the express purpose, in 99 out of every 100 cases, of cheating their creditors. The remedy the public seek is by extending the jurisdiction of the county courts, thereby preventing creditors, friendly or otherwise, taking their debtors to prison, and having any control over their person, which they now have, even after sentence of remand of the Insolvent Court, unless the creditor can lodge a detainer in time to prevent the friendly discharge; and, instead thereof, giving the creditor the benefit of applying to the judge of a county court, who will take care, by large or small payments, to compel the debtor to do something to pay his debts†.

Another defect is the allowing a debtor to defeat his creditor by a fictitious transfer of his business; the remedy is to make it a misdemeanour to do so, the judge of the county court to be the sole judge of the fact, and in no instance to permit transfers of personality, except by bill of sale, registered in the county court: such bill not to have any greater legal effect thereby, but to be void unless registered.

Yours obediently,

April 22, 1850.

A COUNTRY ATTORNEY.

COURT OF QUEEN'S BENCH.

EASTER TERM.—13 VICTORIA.—April 26, 1850.

This Court will, on Thursday the 9th, Friday the 10th, and Saturday the 11th days of May next, hold sittings, and will proceed in disposing of business then pending and undecided. BY THE COURT.

The motion *In re Barber* (part heard) will be the only business taken at the sittings after term.

* Our correspondent surely does not expect any great advantage from one central office for the purpose he suggests. Each district office ought to conduct the correspondence with the others.

† We think that our correspondent's remedy would be worse than the disease.

REGULA GENERALIS.

ORDER OF COURT.

April 22, 1850.

The Right Hon. CHARLES CHRISTOPHER LORD COTENHAM, Lord High Chancellor of Great Britain, by and with the advice and assistance of the Right Hon. HENRY LORD LANGDALE, Master of the Rolls, the Right Hon. Sir LANCELOT SHADWELL, Vice-Chancellor of England, the Right Hon. the Vice-Chancellor Sir JAMES LEWIS KNIGHT BRUCE, and the Right Hon. the Vice-Chancellor Sir JAMES WIGRAM, doth hereby, in pursuance of an act of Parliament passed in the fourth year of the reign of her present Majesty, intituled "An Act for facilitating the Administration of Justice in the Court of Chancery," and of an act passed in the fifth year of the reign of her present Majesty, intituled "An Act to amend an Act of the Fourth Year of the Reign of her present Majesty, intituled 'An Act for facilitating the Administration of Justice in the Court of Chancery,'" and of an act passed in the eighth and ninth years of the reign of her present Majesty, intituled "An Act for amending certain Acts of the Fourth and Fifth Years of the Reign of her Majesty, for facilitating the Administration of Justice in the Court of Chancery, and for providing for the Discharge of the Duties of the Subpoena-office after the Death, Resignation, or Removal of the present Patentee of that Office," and in pursuance and execution of all other powers enabling him in that behalf, ORDER and DIRECT, that all and every the rules, orders, and directions hereinafter set forth shall henceforth be, and for all purposes be deemed and taken to be, GENERAL ORDERS AND RULES OF THE HIGH COURT OF CHANCERY, viz.—

I. Any person seeking equitable relief may, without special leave of the Court, and instead of proceeding by bill of complaint in the usual form, file a claim in the Record and Writ Clerks' Office, in any of the following cases—that is to say, in any case where the plaintiff is or claims to be,

1. A creditor upon the estate of any deceased person, seeking payment of his debt out of the deceased's personal assets.
2. A legatee under the will of any deceased person, seeking payment or delivery of his legacy out of the deceased's personal assets.
3. A residuary legatee, or one of the residuary legatees, of any deceased person, seeking an account of the residue, and payment or appropriation of his share therein.
4. The person or any of the persons entitled to the personal estate of any person who may have died intestate, and seeking an account of such personal estate, and payment of his share thereof.
5. An executor or administrator of any deceased person, seeking to have the personal estate of such deceased person administered under the directions of the Court.
6. A legal or equitable mortgagee or person entitled to a lien as security for a debt, seeking foreclosure or sale, or otherwise to enforce his security.
7. A person entitled to redeem any legal or equitable mortgage or any lien, seeking to redeem the same.
8. A person entitled to the specific performance of an agreement for the sale or purchase of any property, seeking such specific performance.
9. A person entitled to an account of the dealings and transactions of a partnership, dissolved or expired, seeking such account.
10. A person entitled to an equitable estate or interest, and seeking to use the name of his trustee in prosecuting an action for his own sole benefit.

3

11. A person entitled to have a new trustee appointed in a case where there is no power in the instrument creating the trusts to appoint new trustees, or where the power cannot be exercised, and seeking to appoint a new trustee.

II. Such claim in the several cases enumerated in Order I is to be in the form and to the effect set forth in Schedule (A.) hereunder written, as applicable to the particular case, and the filing of such claim is, in all cases not otherwise provided for, to have the force and effect of filing a bill.

III. Every such claim is to be marked at or near the top or upper part thereof, in the same manner as a bill is now marked, with the name of the Lord Chancellor and one of the Vice-Chancellors, or with the name of the Master of the Rolls.

IV. Upon filing such claim, the plaintiff thereby claiming may sue out a writ of summons against the defendant to the claim, requiring him to cause an appearance to be entered to such writ, and also requiring him, on a day or time to be therein named, or on the seal or motion day then next following, to shew cause, if he can, why such relief as is claimed by the plaintiff should not be had, or why such order as shall be just, with reference to the claim, should not be made.

V. Such writ of summons is to be in the form and to the effect in that behalf set forth in No. 1 of Schedule (B.) hereunder written, with such variations as circumstances may require, and is to be sealed with the seal of the office of the Clerks of Records and Writs.

VI. In any case other than those enumerated in Order I, or in any case to which the forms set forth in Schedule (A.) are not applicable, the Court (if it shall so think fit) may, upon the ex parte application of any person seeking equitable relief, and upon reading the claim proposed to be filed, give leave to file such claim, and sue out a writ of summons thereon under these Orders; and if such leave be given, an indorsement thereon by the Registrar, upon the proposed claim, shall be a sufficient authority for the Record and Writ Clerk to receive and file such claim.

VII. In the case provided for by the 5th Article of Order I, any one person who, under the 3rd or 4th Article of Order I, might have claimed relief against the executor or administrator of the deceased person whose personal estate is sought to be administered, and the co-executor or co-administrator (if any) of the plaintiff, may be named in the writ of summons as defendants to the suit; and, in the first instance, no other person need be therein named.

VIII. In other cases, the only person who need be named in the writ of summons as defendant to the suit, in the first instance, is the person against whom the relief is directly claimed.

IX. All claims, and all writs, caveats, proceedings, directions, and orders consequent thereon, either before the Court or in the Masters' offices, are to be deemed proceedings, writs, and orders subject to the general rules, orders, and practice of the Court, so far as the same are or may be applicable to each particular case, and consistent with these Orders; and all orders of the Court made in such proceedings are to be enforced in the same manner and by the same process as orders of the Court made in a cause upon bill filed.

X. Writs of summons are, as to the number of defendants to be named therein, as to the mode of service thereof, and as to the time and mode of entering appearances thereto, to be subject to the same rules as writs of subpoena to appear to and answer bills.

XI. The time for shewing cause named in any writ of summons (except a writ of summons to revive or carry on proceedings) is to be fourteen days at the least after service of the writ; but, by consent of the parties, and with the leave of the Court, cause may be shewn on any earlier day.

XII. At the time for shewing cause named in the writ, or on the seal or motion day then next following, or so soon after as the case can be heard, the defendant, having previously appeared, is personally or by counsel to shew cause in court, if he can, (and if necessary by affidavit), why such relief as is claimed by the claim should not be had against him.

XIII. At the time appointed for shewing cause, upon the motion of the plaintiff, and on hearing the claim, and what may be alleged on the part of the defendant, or upon reading a certificate of the appearance being entered by the defendant, or an affidavit of the writ of summons being duly served, the Court may, if it shall think fit, make an order granting or refusing the relief claimed, or directing any accounts or inquiries to be taken or made, or other proceedings to be had, for the purpose of ascertaining the plaintiff's title to the relief claimed; and further, the Court may direct such (if any) persons or classes of persons as it shall think necessary or fit to be summoned or ordered to appear as parties to the claim, or on any proceedings before the Master, with reference to any accounts or inquiries directed to be taken or made, or otherwise.

XIV. Every order to be so made is to have the effect of, and may be enforced as, a decree or decretal order made in a suit commenced by bill, and duly prosecuted to a hearing, according to the present course of the Court.

XV. If, upon the application for any such order, or during any proceedings under any such order when made, it shall appear to the Court that, for the purposes of justice between the parties, it is necessary or expedient that a bill should be filed, the Court may direct or authorise such bill to be filed, subject to such terms as to costs or otherwise as may be thought proper.

XVI. The orders made for granting relief in the several cases to which the forms set forth in Schedule (A.) are applicable may, if the Court thinks fit, be in the form and to the effect set forth in Schedule (C.), as applicable to the particular case, with such variations as circumstances may require.

XVII. Under every order of reference to the Master under these Orders, the Master is, unless the Court otherwise orders, to be at liberty to cause the parties to be examined on interrogatories, and to produce deeds, books, papers, and writings, as he shall think fit, and to cause advertisements for creditors, and if he shall think it necessary, but not otherwise, for heirs and next of kin, or other unascertained persons, and the representatives of such as may be dead, to be published in the usual forms, or otherwise, as the circumstances of the case may require; and in such advertisements to appoint a time within which such persons are to come in and prove their claims, and within which time, unless they so come in, they are to be excluded the benefit of the order; and in taking any account of a deceased's personal estate under any such order of reference, the Master is to inquire and state to the Court what part, if any, of the deceased's personal estate is outstanding or undisposed of, and is also to compute interest on the deceased's debts, as to such of them as carry interest, after the rate they respectively carry, and as to all others, after the rate of 4l. per cent. per annum from the date of the order, and to compute interest on legacies after the rate of 4l. per cent. per annum from the end of one year after the deceased's death, unless any other time of payment or rate of interest is directed by the will, but in that case according to the will; and under every order whereby any property is ordered to be sold with the approbation of the Master, the same is to be sold to the best purchaser that can be got for the same, to be allowed by the Master, wherein all proper parties are to join, as the Master shall direct.

XVIII. If, upon the proceedings before the Master under any such order, it shall appear to the Master that some persons, not already parties, ought to attend, or to be enabled to attend, the proceedings before him, he is to be at liberty to certify the same; and upon the production of such certificate to the Record and Writ Clerk, the plaintiff may sue out a writ of summons requiring the persons named in such certificate to appear to the writ, and such persons are thereupon to be named and treated as defendants to the suit.

XIX. Such writ of summons, under an order or Master's certificate, is to be in the form and to the effect in that behalf set forth in No. 2 of Schedule (B.), with such variations as circumstances may require.

XX. The persons so summoned, having appeared, are to be at liberty to attend, and to be entitled to notice of the proceedings before the Master under the order of reference, subject to such directions as the Master may make in respect thereof.

XXI. Where any proceedings, originally commenced by claim and writ of summons, shall, by the death of parties or otherwise, have become abated or defective for want of parties, and no new relief is sought, a claim to revive or carry on the suit may be filed; and such claim is to be in the form set forth in No. 12 of Schedule (A.).

XXII. The party claiming simply to revive or carry on proceedings may sue out a writ of summons requiring the defendant thereto to appear to the writ, and to shew cause, if he can, why the proceedings should not be revived or carried on.

XXIII. Such writ of summons is to be in the form and to the effect in that behalf set forth in No. 3 of Schedule (B.), with such variations as circumstances may require.

XXIV. If any defendant to any such writ is desirous of shewing cause why the proceedings should not be revived or carried on, he is to appear and to file a caveat against such revivor or carrying on in the Record and Writ Clerk's office, in the form set forth in No. 4 of Schedule (B.), and to give notice thereof in writing to the opposite party. If no such caveat be filed within eight days from the time limited for his appearance to the writ, then at the expiration of such eight days the proceedings are to be revived, and may be carried on without any order for the purpose; and a certificate of the Record and Writ Clerk, that no caveat has been filed within the time limited, is to be a sufficient authority for the Master to proceed. But if any such caveat be filed, the proceedings are not to be revived or carried on without an order to be obtained on motion, of which due notice is to be given.

XXV. Where any further or supplemental relief is sought, and such supplemental relief is such as is provided for in any of the cases enumerated under Order I, a supplemental claim may be filed in such of the forms set forth in Schedule (A.) as is applicable to the case.

XXVI. If such supplemental relief is not such as is provided for by Order XXV, a supplemental claim may be filed, stating shortly the nature of the plaintiff's case, and the supplemental relief claimed, but the leave of the Court is to be obtained previously to the filing thereof, upon an ex parte application for the purpose, in the manner specified in Order VI.

XXVII. A writ of summons may be sued out, and other proceedings may be taken, upon a supplemental claim, in like manner as upon an original claim.

XXVIII. Guardians ad litem to defend may be appointed for infants or persons of weak or unsound mind against whom any writ of summons may have issued under these Orders, in like manner as guardians ad litem to answer and defend are now appointed in suits on bill filed.

XXIX. Any order or proceeding made, or purporting to be made, in pursuance of these Orders, may be dis-

charged, varied, or set aside on motion; and any order for accelerating proceedings may be made by consent.

XXX. Any order of the Master of the Rolls, or of any of the Vice-Chancellors, may be discharged or varied by the Lord Chancellor on motion.

XXXI. If any of the cases enumerated in Order I involve or are attended by such special circumstances, affecting either the estate or the personal conduct of the defendant, as to require special relief, the plaintiff is at liberty to seek his relief by bill, as if these Orders had not been made.

XXXII. If at any time after these Orders come into operation any suit for any of the purposes to which the forms set forth in Schedule (A.) are applicable shall be commenced by bill and prosecuted to a hearing in the usual course, and upon the hearing it shall appear to the Court that an order to the effect of the decree then made, or an order equally beneficial to the plaintiff, might have been obtained upon a proceeding by summons in the manner authorised by these Orders, the Court may order that the increased costs which have been occasioned by the proceeding by bill, beyond the amount of costs which would have been sustained in the proceeding by summons, shall be borne and paid by the plaintiff.

XXXIII. The Record and Writ Clerks are directed to take the following fees:—

1. For filing a claim	£0	5	0
2. For sealing every writ of summons	0	5	0
3. For filing a caveat	0	2	6

For appearances, office copies, certificates, &c., the same fees as directed by the schedules of fees now in force.

The Registrars are directed to take the following fees:—

1. For every order on the hearing of a claim, and on further directions	£2	0	0
2. For every office copy thereof	0	10	0
3. For every order on arguing exceptions	1	0	0
4. For every office copy thereof	0	5	0
5. For every order for transfer out of court, or sale of any sum of Government stock, &c., exceeding 100 <i>l.</i> stock or annuities, and for every order for payment out of court of any annuity or annuities, or of any interest or dividends upon stock or annuities, exceeding in the whole 5 <i>l.</i> per annum	1	10	0
6. For every office copy thereof	0	10	0

For every other order and office copy, the same fees as now received by the Registrars and their clerks under the schedules of fees now in force.

Solicitors are entitled to charge and be allowed the following fees:—

For instructions to sue or defend	£0	6	8
For instructions for every claim	0	13	4
For preparing and filing a claim	2	2	0
For preparing a writ of summons	0	13	4
For each writ after the first	0	6	8
For ingrossing claims and writs, per folio	0	0	6
For parchment: as paid.			
For each copy of writ to serve, per folio	0	0	4
For the brief to counsel to move for leave to file claim (exclusive of a copy of the claim for counsel and the Court)	0	10	0
For the brief and instructions to counsel, on the hearing (exclusive of any necessary copies)	1	0	0
For taking instructions to appear, and for entering appearance—			
For one or more defendants, if not exceeding three	0	13	4
If exceeding three, and not more than six, an additional sum of	0	6	8
If exceeding six, for every number not exceeding three, an additional sum of ..	0	6	8

For settling minutes, passing and entering order on hearing: the same charges as on a decretal order.

For entering a caveat 0 | 6 | 8 |

For procuring certificate of no caveat 0 | 6 | 8 |

For term fee: as in a suit.

And also all such fees as by the present practice of the Court they are entitled to, save such as are varied or rendered unnecessary by these present Orders.

XXXIV. These Orders shall come into operation on the 22nd day of May, 1850.

XXXV. In these Orders and the Schedules, the following words have the several meanings hereby assigned to them, over and above their several ordinary meanings, unless there be something in the subject or context repugnant to such construction, viz.—

1. Words importing the singular number include the plural number, and words importing the plural number include the singular number.
2. Words importing the masculine gender include females.
3. The word "affidavit" includes "affirmation" and "declaration on honour."
4. The word "person" or "party" includes "a body politic or corporate."
5. The word "legacy" includes "an annuity," and "a specific as well as a pecuniary legacy."
6. The word "legatee" includes "a person interested in a legacy."
7. The expression "residuary legatee" includes "a person interested in the residue."

SCHEDULE (A.)

FORMS OF CLAIM.

1. *By a Creditor upon the Estate of a deceased Person, seeking Payment of his Debt out of the Deceased's Personal Assets.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff.

E. F., Defendant.

The claim of A. B., of —, the above-named plaintiff. The said A. B. states, that C. D., late of —, deceased, was at the time of his death, and that his estate still is, justly indebted to him, the said A. B., in the sum of £—, for goods sold and delivered by the said A. B. to the said C. D., [or otherwise, as the case may be; or, if the debt is secured by any written instrument, state the date and nature thereof]; and that the said C. D. died in or about the month of —, and that the above-named defendant, E. F., is the executor [or administrator] of the said C. D., and that the said debt hath not been paid; and therefore the said A. B. claims to be paid the said debt or sum of £—, with his costs of this suit; and, in default thereof, he claims to have the personal estate of the said C. D. administered in this court, on behalf of himself and all other the unsatisfied creditors of the said C. D.; and, for that purpose, that all proper directions may be given and accounts taken.

Note.—This form may be varied, according to the circumstances of the case, where the claimant is not the original creditor, but has become interested in or entitled to the debt; in which case the character in which he claims is to be stated.

2. *By a Legatee under the Will of any deceased Person, seeking Payment or Delivery of his Legacy out of the Testator's Personal Assets.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff.
C. D., Defendant.

The claim of A. B., of —, the above-named plaintiff. The said A. B. states, that he is a legatee to the amount of £—, under the will, dated the — day of —, of —, late of —, deceased, who died on the — day of —, and that the above-named C. D. is the executor of the said —; and that the said legacy of £—, together with interest thereon after the rate of £— per cent. per annum from the — day of —, [the day mentioned in the will for the payment of the legacy, or the expiration of twelve calendar months after the said testator's death], is now due and owing to him, the said A. B., [or still unpaid or unsatisfied], [or unappropriated or unsecured], and the said A. B. therefore claims to be paid [or satisfied] the said legacy and interest, [or to have the said legacy and interest appropriated and secured]; and, in default thereof, he claims to have the personal estate of the said — administered in this court, on behalf of himself and all other legatees of the said —; and, for that purpose, that all proper directions may be given and accounts taken.

Note.—This form may be varied, according to the circumstances of the case, where the legacy is an annuity, or specific, or where the plaintiff is not the legatee, but has become entitled to or interested in the legacy; in which case the character in which the plaintiff claims is to be stated.

3. *By a Residuary Legatee, or any of several Residuary Legatees, of any deceased Person, seeking an Account of the Residue, and Payment or Appropriation of his Share therein.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff.
C. D., Defendant.

The claim of A. B., of —, the above-named plaintiff. The said A. B. states, that he is the residuary legatee [or one of the residuary legatees] under the will, dated the — day of —, of —, late of —, who died on the — day of —, and that the above-named defendant, C. D., is the executor of the said —, and that the said C. D. hath not paid to the said A. B. the [or his share of the] residuary personal estate of the said testator; the said A. B. therefore claims to have the personal estate of the said — administered in this court, and to have his costs of this suit; and, for that purpose, that all proper directions may be given and accounts taken.

Note.—This form may be varied, according to the circumstances of the case, where the plaintiff is not the residuary legatee, but has become entitled to or interested in the residue; in which case the character in which he claims is to be stated.

4. *By the Person or any of the Persons entitled to the Personal Estate of any Person who may have died intestate, and seeking an Account of such Personal Estate, and Payment of his Share thereof.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff.
C. D., Defendant.

The claim of A. B., of —, the above-named plaintiff. The said A. B. states, that he is the next of kin, [or one of the next of kin], according to the statutes for the distribution of the personal estate of intestates, of —, late of —, who died on the — day of —, intestate; and that the said A. B. is entitled to [or to a share of] the personal estate of the said —, deceased; and that the said defendant, C. D., is the administrator of the personal estate of the said —, and that the said C. D. has not accounted for or paid to the said A. B. the [or the said A. B.'s share of the] personal estate of the said intestate; the said A. B. therefore claims to have the personal estate of the said — administered in this court, and to have his costs of this suit; and, for that purpose, that all proper directions may be given and accounts taken.

5. *By the Executor or Administrator of a deceased Person, claiming to have the Personal Estate of the Testator administered under the Direction of the Court.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff.
C. D., Defendant.

The claim of A. B., of —. The said A. B. states, that he is the executor [or administrator] of E. F., late of —, but now deceased, who departed this life on or about —; and that he hath possessed the personal estate of the said E. F. to some amount, and that he is willing and desirous to account for the same, and that the whole of the personal estate of the said E. F. should be duly administered in this court for the benefit of all persons interested therein or entitled thereto; and that C. D. is interested in the said personal estate as one of the next of kin [or residuary legatee] of the said E. F., and the said A. B. claims to have the personal estate of the said E. F. applied in a due course of administration under the direction of this Court, and in the presence of the said C. D. and such other persons interested in the said estate as this Court may be pleased to direct, or that the said C. D. may shew good cause to the contrary; and that the costs of this suit may be provided for; and, for these purposes, that all proper directions may be given and accounts taken.

6. *By a Legal or Equitable Mortgagee or Person entitled to a Lien as Security for a Debt, seeking Foreclosure or Sale, or otherwise to enforce his Security.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff.
C. D., Defendant.

The claim of A. B., of —, the above-named plain-

tiff. The said A. B. states, that under or by virtue of an indenture, [or other document], dated the — day of —, and made between [parties], [and a transfer thereof made by indenture dated the — day of —, and made between [parties]], the said A. B. is a mortgagee [or an equitable mortgagee] of [or is entitled to a lien upon] certain freehold property [or copyhold, or leasehold, or other property, as the case may be] therein comprised, for securing the sum of £— and interest, and that the time for payment thereof has elapsed; and that the above-named C. D. is entitled to the equity of redemption of the said mortgaged premises, [or the premises subject to such lien]; and the said A. B. therefore claims to be paid the said sum of £— and interest, and the costs of this suit; and, in default thereof, he claims to foreclose the equity of redemption of the said mortgaged premises, [or to have the said mortgaged premises sold, or to have the premises subject to such lien sold, as the case may be], and the produce thereof applied in or towards payment of his said debt and costs; and, for that purpose, to have all proper directions given and accounts taken.

7. *By a Person entitled to the Redemption of any Legal or Equitable Mortgage, or any Lien, seeking to redeem the same.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor, naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff.
C. D., Defendant.

The claim of A. B., of —, the above-named plaintiff. The said A. B. states, that under or by virtue of an indenture, [or other document], dated the — day of —, and made between [parties], [and the assurances hereinafter mentioned, that is to say, an indenture, dated the — day of —, the will of —, dated the — day of —], the said A. B. is entitled to the equity of redemption of certain freehold property [or copyhold, or leasehold, or other property, as the case may be] therein comprised, which was originally mortgaged [or pledged] for securing the sum of £— and interest; and that the above-named defendant, C. D., is now, by virtue of the said indenture, dated the — day of —, [and of subsequent assurances], the mortgagee of the said property, [or holder of the said lien], and entitled to the principal money and interest remaining due upon the said mortgage, [or lien]; and he believes that the amount of principal money and interest now due upon the said mortgage [or lien] is the sum of £—, or thereabouts; and that the said A. B. hath made, or caused to be made, an application to the said C. D. to receive the said sum of £—, and any costs justly payable to him, and to reconvey to the said A. B. the said mortgaged property, [or property subject to the said lien], upon payment thereof, and of any costs due to him in respect of the said security, but that the said C. D. has not so done; and therefore the said A. B. claims to be entitled to redeem the said mortgaged property, [or property subject to the said lien], and to have the same reconveyed [or delivered up] to him, upon payment of the principal money and interest, and costs due and owing upon the said mortgage, [or lien]; and, for that purpose, to have all proper directions given and accounts taken.

8. *By a Person entitled to the specific Performance of an Agreement for the Sale or Purchase of any Property, seeking such specific Performance.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor, naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff.
C. D., Defendant.

The claim of A. B., of —, the above-named plaintiff. The said A. B. states, that by an agreement, dated the — day of —, and signed by the above-named defendant, C. D., he, the said C. D., contracted to buy of him [or to sell to him] certain freehold property [or copyhold, leasehold, or other property, as the case may be] therein described or referred to, for the sum of £—; and that he has made, or caused to be made, an application to the said C. D. specifically to perform the said agreement on his part, but that he has not done so; and the said A. B. therefore claims to be entitled to a specific performance of the said agreement, and to have his costs of this suit; and, for that purpose, to have all proper directions given; and he hereby offers specifically to perform the same on his part.

9. *By a Person entitled to an Account of the Dealings and Transactions of a Partnership, dissolved or expired, seeking such Account.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor, naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff.
C. D., Defendant.

The claim of A. B., of —, the above-named plaintiff. The said A. B. states, that from the — day of —, down to the — day of —, he and the above-named C. D. carried on the business of — in copartnership, under certain articles of copartnership, dated the — day of —, and made between [parties], [or without articles, as the case may be]; and he saith that the said partnership was dissolved [or expired, as the case may be] on the — day of —, and he claims an account of the partnership dealings and transactions between him and the said C. D., and to have the affairs and business of the said partnership wound up and settled under the direction of this Court; and, for that purpose, that all proper directions may be given and accounts taken.

10. *By a Person entitled to an equitable Estate or Interest, and claiming to use the Name of his Trustee in prosecuting an Action for his own sole Benefit.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor, naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff.
C. D., Defendant.

The claim of A. B., of —, the above-named plaintiff. The said A. B. states, that under an indenture, dated the — day of —, and made between [parties], he is entitled to an equitable estate or interest in certain property therein described or referred to, and that the above-named defendant is a trustee for him of such property; and that, being desirous to prosecute an action

at law against — in respect of such property, he has made, or caused to be made, an application to the said defendant to allow him to bring such action in his name, and has offered to indemnify him against the costs of such action, but that the said defendant has refused or neglected to allow his name to be used for that purpose; and the said A. B. therefore claims to be allowed to prosecute the said action in the name of the said defendant, and hereby offers to indemnify him against the costs of such action.

11. *By a Person entitled to have a new Trustee appointed in a Case where there is no Power in the Instrument creating the Trust to appoint new Trustees, or where the Power cannot be exercised, and seeking to appoint a new Trustee.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor, naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff.

C. D., Defendant.

The claim of A. B., of —, the above-named plaintiff. The said A. B. states, that under an indenture, dated the — day of —, and made between [parties], [or will of —, or other document, as the case may be], he, the said A. B., is interested in certain trust property therein mentioned or referred to, and that the above-named defendant, C. D., is the present trustee of such property, [or is the real or personal representative of the last surviving trustee of such property, as the case may be]; and that there is no power in the said indenture [or will or other document] to appoint new trustees, [or that the power in the said indenture [or other document] to appoint new trustees cannot be executed]; and the said A. B. therefore claims to have new trustees appointed of the said trust property, in the place of [or to act in conjunction with] the said C. D.

12. *By a Party entitled to revive or to carry on a Suit, and seeking to revive or carry on the Suit.*

In Chancery.

[As in original claim.] { [Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor, naming him],
or,
[Master of the Rolls].

Between A. B., Plaintiff,

and

C. D., Defendant;

and

[Title of this claim.] Between G. H., Plaintiff,

and

K. L., Defendant.

The claim of G. H., of —, the above-named plaintiff. The said G. H. states, that the said A. B. filed his claim in this suit on or about —; that on or about — the said A. B. died, [or became bankrupt or insolvent]; that the said suit, and all proceedings thereunder, have thereby become abated, [or defective]; that the said G. H. has become and is the executor [or administrator, or the assignee of the estate and effects] of the said A. B., and he claims to be entitled to revive the said suit and proceedings, [or to be entitled to carry on the said suit and proceedings], and to have all such relief as the said A. B. would have been entitled to if he had lived, [or had not become bankrupt or insolvent]; or that the said C. D. ought to shew good cause to the contrary.

Note.—This form may be applied to any case to which Order XXI applies, and may be varied, according to the circumstances of each case.

SCHEDULE (B.) No. 1.

Form of Writ of Summons on Claim.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to C. D. greeting. Whereas A. B. hath caused to be filed with the Record and Writ Clerks of our High Court of Chancery a claim as follows: [*claim to be set forth verbatim*]: therefore we command you, [and every of you, where there is more than one defendant], that within eight days after the service of this writ on you, exclusive of the day of such service, laying all excuses and other matters aside, you do cause an appearance to this writ to be entered for you in our High Court of Chancery; and further, that on the fourteenth day after the service of this writ, or on the seal or motion day then next following, you do, personally or by your counsel, appear in the court of our Lord Chancellor, before the Vice-Chancellor of England, [or the Vice-Chancellor, naming him], [or in the court of our Master of the Rolls], at ten of the clock in the forenoon, and then and there shew cause, if you can, why the said A. B. should not have such relief against you as is claimed by the said claim, or why such order as shall be just, with reference to the claim, should not be made; and hereof fail not at your peril. Witness, ourself, at Westminster, the — day of —, in the — year of our reign.

[The following memorandum to be placed at the foot.]

Appearance to be entered at the Record and Writ Clerks' Office in Chancery-lane, London; and if you neglect to enter your appearance, and either personally or by your counsel to appear in the High Court of Chancery, at the place and on the day and hour above mentioned, you will be subject to such order as the Court may think fit to make against you in your absence, for payment or satisfaction of the said claim, or as the nature and circumstances of the case may require.

SCHEDULE (B.) No. 2.

Victoria, &c., to —, greeting.

Whereas A. B., of —, hath caused to be filed a claim against C. D., claiming &c. [*set forth only the claim, without the introductory statement*]: and whereas, by an order made in the said cause, dated the — day of —, it was ordered —: and whereas Mr. —, the Master to whom the said order stands referred, hath, by his certificate, dated the — day of —, certified to us, that you ought to be a party to the said cause, and to be served with a writ of summons therein: therefore we command you, that within eight days after service of this writ on you, exclusive of the day of such service, you do cause an appearance to be entered for you in our High Court of Chancery, and that you do attend the proceedings in the said cause as a party defendant thereto, and do and observe such things as are by our said Court ordered and directed in the said cause; and herein fail not. Witness, &c.

[The following memorandum to be placed at the foot.]

Appearance to be entered at the Record and Writ Clerks' Office, Chancery-lane, London; and if you neglect to appear, the proceedings will be carried on without further notice to you.

SCHEDULE (B.) No. 3.

Victoria, &c., to —, greeting.

Whereas A. B., of —, hath caused to be filed a claim against C. D., claiming &c. [*set forth the claim verbatim*]: and whereas the said A. B. hath departed this life, [or become bankrupt], [or as the case may be], whereby the said suit hath become abated, [or defective], and

G. H. is now the legal personal representative [*or assignee*] of the said A. B., and as such claims to be entitled to revive [*or carry on*] the said suit: therefore we command you, the said C. D., that within eight days after the service of this writ on you, exclusive of the day of such service, you do cause an appearance to be entered for you in our High Court of Chancery; and further, that within sixteen days after such service, you do shew good cause, if you can, why the suit, and all proceedings thereunder, should not be revived against you, and be in the same plight and condition as the same were in at the time of the said abatement thereof, [*or why the suit and proceedings should not be carried on against you as claimed*]. Witness, &c.

[*The following memorandum to be placed at the foot.*]

Appearance to be entered at the Record and Writ Clerks' Office, in Chancery-lane, London; and if you desire to shew cause, you are to enter a caveat at the same office within the time limited, otherwise the suit will stand revived, or may be carried on, without further order.

SCHEDULE (B.) No. 4.

Form of Caveat against Revivor.

Between A. B., Plaintiff.
C. D., Defendant.
And between G. H., Plaintiff.
K. L., Defendant.

The said K. L. objects to the suit in the plaintiff's claim mentioned being revived [*or carried on*] against him in the manner claimed by the plaintiff.

SCHEDULE (C.)

1. *Form of Order for Payment of a Debt or Legacy.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],
or,
[Master of the Rolls].

Date.

Between A. B., Plaintiff.
C. D., Defendant.

Upon motion this day made unto this Court by Mr. —, of counsel for the plaintiff, and upon hearing Mr. —, of counsel for the defendant, [*or upon reading a certificate of an appearance having been entered by the defendant*], [*or upon hearing an affidavit of service upon the defendant of the writ of summons issued in this cause*], and upon reading the claim filed in this cause on the — day of —, [*and an affidavit of —, filed in this cause*], [*or the defendant by his counsel admitting assets of the testator or intestate in the said claim named*], this Court doth order that the defendant do, within a month after service upon him of this order, pay to the plaintiff the sum of £—, together with interest thereon at the rate of £— per cent. per annum, from the — day of — to the time of such payment, together with the costs of this suit, to be taxed by the Taxing Master in rotation.

2. *Form of Order on Executor or Administrator to account, on Claim by a Creditor of Testator or Intestate.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],
or,
[Master of the Rolls].

Date.

Between A. B., Plaintiff.
C. D., Defendant.

Upon motion &c., [*as in Form No. 1*], this Court doth

declare that all persons who are creditors of the said testator or intestate are entitled to the benefit of this order: and it is ordered, that it be referred to the Master of this court in rotation to take an account of what is due to the plaintiff, and all other the creditors of —, deceased, the testator [*or intestate*] in the plaintiff's claim named, and of his funeral expenses: and it is ordered, that the Master do take an account of the personal estate of the said testator [*or intestate*] come to the hands of the said defendant, his executor, [*or administrator*], or to the hands of any other person or persons by his order or for his use: and it is ordered, that the said testator's [*or intestate's*] personal estate be applied in payment of his debts and funeral expenses in a due course of administration: and this Court doth reserve the consideration of all further directions, and of the costs of this suit, until after the said Master shall have made his report.

3. *Form of Order to account, on Claim by a Legatee.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],
or,

[Master of the Rolls].

Date.

Between A. B., a legatee of —, } Plaintiff.
deceased . . . }

C. D. . . . Defendant.

Upon motion &c., [*as in Form No. 1*], this Court doth declare that all persons who are legatees of the said testator are entitled to the benefit of this order: and it is ordered, that it be referred to the Master of this court in rotation to take an account of the personal estate not specifically bequeathed of —, deceased, the testator in the plaintiff's claim named, come to the hands of the defendant, or to the hands of any other person or persons by his order or for his use: and it is ordered, that the said Master do take an account of the said testator's debts, funeral expenses, and of the legacies given by his will: and it is ordered, that the said testator's said personal estate be applied in payment of his funeral expenses and debts in a due course of administration, and then in payment of his legacies: and this Court doth reserve the consideration of all further directions, and of the costs of this suit, until after the said Master shall have made his report.

4. *Form of Order to account, on Claim by a Residuary Legatee, or one of several Residuary Legatees.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],
or,

[Master of the Rolls].

Date.

Between A. B., a residuary legatee } Plaintiff.
of —, deceased }

C. D. . . . Defendant.

Upon motion &c., [*as in Form No. 1*], this Court doth declare that all the residuary legatees named or described in the will of —, deceased, the testator named in the plaintiff's claim, are entitled to the benefit of this order, and to attend the proceedings under the same before the Master; and it is referred to the Master to inquire and state to the Court who were the residuary legatees of the testator living at the time of his death, and whether any of them are since dead, and if dead, who is or are their legal personal representative or representatives; and if the Master shall find that all such residuary legatees, or their legal personal representa-

tives, have been duly served with writs of summons, he is to proceed to take an account &c., [as in No. 3, to the end.]

5. *Form of Order to account, on Claim by the next of Kin, or one of the next of Kin, of an Intestate.*

In Chancery.

[Lord Chancellor],

[Vice-Chancellor of England, or Vice-Chancellor, naming him],

or,

[Master of the Rolls].

Date.

Between A. B., Plaintiff.

C. D., Defendant.

Upon motion &c., [as in Form No. 1], this Court doth declare that all the next of kin, according to the Statutes of Distribution, of —, the intestate named in the plaintiff's claim, are entitled to the benefit of this order, and to attend the proceedings before the Master under the same; and it is referred to the Master of this court in rotation to inquire and state to the Court who were the next of kin, according to the Statutes of Distribution, of the said —, living at the time of his decease, and whether any of them are since dead, and if dead, who is or are their legal personal representative or representatives; and if the said Master shall find that such next of kin have been duly served with writs of summons to attend the proceedings before him under this order, then it is ordered, that it be referred to the said Master to take an account of the said intestate's personal estate, [usual accounts of personal estate, debts, and funeral expenses, &c., as in Form No. 3.]

6. *Form of Order for Account of Personal Estate of a deceased Person, on the Claim of the Executor or Administrator.*

In Chancery.

[Lord Chancellor],

[Vice-Chancellor of England, or Vice-Chancellor, naming him],

or,

[Master of the Rolls].

Date.

Between A. B., Plaintiff.

C. D., Defendant.

Upon motion &c., [as in Form No. 1], this Court doth declare, that all persons interested in the personal estate of the said testator [or intestate] are entitled to the benefit of this order: and it is ordered, that it be referred to the Master to take an account of the testator's [or intestate's] personal estate possessed by the plaintiff, or by any other person by his order or for his use, and also to take an account of the testator's [or intestate's] funeral expenses, debts, and legacies: and it is ordered, that such personal estate be applied in a due course of administration in payment of such funeral expenses, debts, and legacies: and any further directions which be necessary are hereby reserved &c.

7. *Form of Order of Foreclosure, on Claim by a Legal or Equitable Mortgagee.*

In Chancery.

[Lord Chancellor],

[Vice-Chancellor of England, or Vice-Chancellor, naming him],

or,

[Master of the Rolls].

Date.

Between A. B., Plaintiff.

C. D., Defendant.

Upon motion &c., [as in Form No. 1], this Court

doth order, that it be referred to the Master of this court in rotation to take an account of what is due to the plaintiff for principal and interest on the mortgage [or equitable mortgage] in the plaintiff's claim mentioned: and it is ordered, that it be referred to the Taxing Master in rotation to tax the plaintiff his costs of this suit: and upon the defendant paying to the plaintiff what shall be reported due to him for principal and interest as aforesaid, together with the said costs when taxed, within six months after the said Master shall have made his report, at such time and place as the said Master shall appoint, it is ordered, that the plaintiff [do reconvey the mortgaged premises in the plaintiff's affidavit of claim mentioned, free and clear of all incumbrances done by him, or any claiming by, from, or under him, and] do deliver up all deeds and writings in his custody or power relating thereto, upon oath, to the said defendant, or to whom he shall appoint; but in default of the defendant paying unto the plaintiff such principal, interest, and costs as aforesaid by the time aforesaid, it is ordered, that the defendant [do stand absolutely debarred and foreclosed of and from all equity of redemption of, in, and to the said mortgaged premises] do convey to the plaintiff the premises comprised in the equitable mortgage in the plaintiff's affidavit of claim mentioned, free and clear of all right, title, interest, equity, and redemption of, in, and to the said premises; and the Master is to settle the conveyance, if the parties differ about the same.

8. *Form of Order of Sale, on Claim by a Legal or Equitable Mortgagee or Person entitled to a Lien.*

In Chancery.

[Lord Chancellor],

[Vice-Chancellor of England, or Vice-Chancellor, naming him],

or,

[Master of the Rolls].

Date.

Between A. B., Plaintiff.

C. D., Defendant.

Upon motion &c., [as in Form No. 1], this Court doth order, that it be referred to the Master of this court in rotation to take an account of what is due to the plaintiff for principal and interest on the mortgage [or equitable mortgage or lien] in the plaintiff's claim mentioned: and it is ordered, that it be referred to the Taxing Master in rotation to tax the plaintiff his costs of this suit: and upon the defendant paying to the plaintiff what shall be reported due to him for principal and interest as aforesaid, together with the said costs, within six months after the said Master shall have made his report, at such time and place as the said Master shall appoint, it is ordered, that the plaintiff [do reconvey the mortgaged premises in the plaintiff's affidavit of claim mentioned, free and clear of all incumbrances done by him, or any claiming by, from, or under him, and] do deliver up all deeds and writings in his custody or power relating thereto, upon oath, to the defendant, or to whom he shall appoint; but in default of the defendant paying to the plaintiff such principal, interest, and costs as aforesaid by the time aforesaid, then it is ordered, that the said mortgaged premises [or the premises subject to the said equitable mortgage or lien] be sold, with the approbation of the said Master: and it is ordered, that the money to arise by such sale be paid into court, to the end that the same may be duly applied in payment of what shall be found due to the plaintiff for principal, interest, and costs as aforesaid: and this Court doth reserve the consideration of all further directions until after the said Master shall have made his report.

9. *Form of an Order for Redemption, on Claim by Person entitled to redeem.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],

or,

[Master of the Rolls].

Date.

Between A. B., Plaintiff.
C. D., Defendant.

Upon motion &c., [as in Form No. 1], this Court doth order, that it be referred to the Master in rotation to take an account of what is due to the defendant for principal and interest on his mortgage [or equitable mortgage or lien] in the plaintiff's claim mentioned: and it is ordered, that it be referred to the Taxing Master in rotation to tax the defendant his costs of this suit: and upon the plaintiff paying to the defendant what shall be reported due to him for principal and interest, together with such costs, when taxed, within six months after the said Master shall have made his report, at such time and place as the said Master shall appoint, this Court doth order, that the defendant do reconvey the mortgaged premises [or deliver up possession of the property subject to the equitable mortgage or lien] in the plaintiff's claim mentioned, free and clear from all incumbrances done by him, or any claiming by, from, or under him, and do deliver up all deeds and writings in his custody or power relating thereto, upon oath, to the plaintiff, or to whom he shall appoint; but in default the plaintiff's said claim is to stand dismissed out of this court, with costs, to be taxed by the said Taxing Master, and to be paid by the plaintiff to the defendant.

10. *Form of Order of Reference of Title, on Claim of Person seeking specific Performance.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],

or,

[Master of the Rolls].

Date.

Between A. B., Plaintiff.
C. D., Defendant.

Upon motion &c., [as in Form No. 1], this Court doth order, that it be referred to the Master of this court in rotation to inquire whether a good title can be made to the property comprised in the agreement in the said plaintiff's claim mentioned; and in case the said Master shall be of opinion that a good title can be made, it is ordered, that he do state at what time it was first shewn that such good title could be made: and this Court doth reserve the consideration of all further directions, and of the costs of this suit, until after the said Master shall have made his report.

11. *Form of Order for an Account of Partnership Dealings and Transactions, on Claim of Person entitled to the Account.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],

or,

[Master of the Rolls].

Date.

Between A. B., Plaintiff.
C. D., Defendant.

Upon motion &c., [as in Form No. 1], this Court

doth order, that it be referred to the Master of this court in rotation to take an account of the partnership dealings and transactions between the plaintiff and the defendant from the — day of —: and it is ordered, that what, upon taking the said account, shall be found due from either of the said parties to the other of them, be paid by the party from whom, to the party to whom, the same shall be found due: and this Court doth reserve the consideration of all further directions, and of the costs of this suit, until after the said Master shall have made his report.

12. *Form of an Order, on Claim by a Person claiming to use the Name of his Trustee.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor
naming him],

or,

[Master of the Rolls].

Date.

Between A. B., Plaintiff,
C. D., Defendant.

Upon motion &c., [as in Form No. 1], this Court doth order, that the plaintiff be at liberty to use the name of the defendant in prosecuting the action at law in the plaintiff's claim mentioned, on indemnifying the defendant against the costs of such action: and it is ordered, that it be referred to the Master of this court in rotation to settle the indemnity to be given by the plaintiff to the defendant, in case the parties differ about the same.

13. *Form of Order, on Claim for the Appointment of new Trustees.*

In Chancery.

[Lord Chancellor],
[Vice-Chancellor of England, or Vice-Chancellor,
naming him],

or,

[Master of the Rolls].

Date.

Between A. B., Plaintiff,
C. D., Defendant.

Upon motion &c., [as in Form No. 1], this Court doth order, that it be referred to the Master of this court in rotation to appoint — proper persons to be new trustees under the indenture [or will or other instrument] in the plaintiff's claim mentioned, in the place of [or to act in conjunction with] the defendant: and it is ordered, that the defendant do convey [assign or transfer] the trust fund or property [referring to it] to such new trustees, [or so as to vest the same in such new trustees jointly with himself], upon the trusts of the said indenture, [or will or other document], or such of them as are now subsisting and capable of taking effect, and they are to declare the trust thereof accordingly, such conveyance [or assignment] to be settled by the said Master, in case the parties differ about the same: [and it is ordered, that the defendant do deliver over to such new trustees all deeds and writings in his custody or power relating to the said trust property].

COTTENHAM, C.

LANGDALE, M. R.

LANCELOT SHADWELL, V. C. E.

J. L. KNIGHT BRUCE, V. C.

JAMES WIGRAM, V. C.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Francis Twigg, Gent., of Burslem, Staffordshire, to be a Master Extraordinary in the High Court of Chancery.

London Gazette.

TUESDAY, APRIL 23.

BANKRUPTS.

WILLIAM WALDEN, Park-place, Mile-end, Middlesex, brush manufacturer, dealer and chapman, April 30 at 11, and May 31 at half-past 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Finney, Furnival's-inn, Holborn.—Petition filed April 18.

SAMUEL BROWNING, Farringdon, Berkshire, nurseryman and seedsman, dealer and chapman, May 2 at half-past 1, and June 1 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. White & Co., 11, Bedford-row.—Petition dated April 9.

JAMES POOLE and **WALTER POOLE**, Booth-street, Spitalfields, Middlesex, builders, (trading under the firm of James Poole & Son), May 2 at 2, and June 6 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Holmer, jun., 120, Cheapside.—Petition dated April 22.

JOHN RICHARD WEST, Mill-wall, Poplar, Middlesex, block and mast maker, dealer and chapman, May 4 at half-past 1, and May 25 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Stevens & Satchell, 6, Queen-st., Cheapside, London.—Petition dated April 20.

DAVID WILLIAMS, Bangor, Carnarvonshire, victualler, May 3 and June 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Evans & Son, Liverpool.—Petition dated and filed April 15.

WILLIAM SHARMAN, Hulme, near Manchester, builder, dealer and chapman, May 9 and 31 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Slater, Manchester.—Petition filed April 16.

MEETINGS.

Daniel Holtum the elder, and *Daniel Holtum* the younger, Westbere, near Canterbury, Kent, carpenters, May 16 at 1, Court of Bankruptcy, London, last ex.—*William Woods* and *Samuel Thomas*, Cheapside, London, wholesale hardwaremen, May 14 at 11, Court of Bankruptcy, London, div.—*David Stuart*, Stockbridge-terrace, Victoria-road, Pimlico, Middlesex, baker, May 14 at 1, Court of Bankruptcy, London, fin. div.—*W. Broome* and *W. Hardy*, Oxford-st., Middlesex, drapers, May 14 at 11, Court of Bankruptcy, London, fin. div.—*Richard Fox*, Derby, share dealer, May 10 at 10, District Court of Bankruptcy, Nottingham, aud. ac.; May 17 at 10, div.—*Richard Jelley*, Leicester, cabinet maker, May 10 at 10, District Court of Bankruptcy, Nottingham, aud. ac.; May 17 at 10, div.—*Samuel Charles Fripp*, Bristol, lodging-house keeper, May 16 at 11, District Court of Bankruptcy, Bristol, div.—*Thomas Martinson Adams*, Holton-le-Beckering, Lincolnshire, corn factor, May 15 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Long, Belgrave-street South, Pimlico, Middlesex, picture dealer, May 15 at 11, Court of Bankruptcy, London.—*Frederick Barford*, St. Alban's, Hertfordshire, hat maker, May 15 at 12, Court of Bankruptcy, London.—*John Worseldine*, Cambridge, upholsterer, May 14 at 1, Court of Bankruptcy, London.—*John Oliver Surtees*, Wigmore-street, Cavendish-square, Middlesex, printseller, May 14 at 12, Court of Bankruptcy, London.—*Richard Langley*, Old Paradise-row, Islington, Middlesex, licensed victualler, May 14 at 12, Court of Bankruptcy, London.—*Hugh Parry*, Abergele, Denbighshire, druggist, May 16 at 11, District Court of Bankruptcy, Liverpool.—*James Hardcastle*, Manchester, tavern-keeper, May 15 at 12, District Court of Bankruptcy, Manchester.—*Edward Hodges*, Swinford, Leicestershire, surgeon, May 15 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Bezael Blomfield, Kelvedon, Essex, corn dealer.—*Thomas Thompson*, Halsey-terrace, Chelsea, Middlesex, carpenter.—*Henry Simmons*, Ramsgate, Kent, grocer.—*James Patching*, Henfield, Sussex, brewer.—*John William Jackson*, Colchester, Essex, coal merchant.—*John Williams*, Newport, Monmouthshire, auctioneer.—*Jesse Hilton*, Foleshill, Warwickshire, silk manufacturer.—*David Lees*, Wednesbury, Stafford-

shire, coach-step manufacturer.—*Timothy Harvey*, Newark-upon-Trent, Nottinghamshire, miller.—*John George Briggs*, Leicester, innkeeper.—*Henry George Rideout*, Nottingham, glove manufacturer.—*William Dobbs*, Poantney-street, Staffordshire, brassfounder.—*Ann Vernon*, Ashton-in-Mackerfield, Lancashire, shopkeeper.

SCOTCH SEQUESTRATION.

John Russell, Balquhatstone-collciery, Slamanan, near Airdrie, coalmaster.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Reynolds, Madeley, Shropshire, hairdresser, May 11 at 10, County Court of Shropshire, at Madeley.—*William Jeffcott*, Nuneaton, Warwickshire, grocer, May 9 at 11, County Court of Warwickshire, at Nuneaton.—*Thomas Asson Baid*, Coventry, Warwickshire, milkseller, May 7 at 10, County Court of Warwickshire, at Coventry.—*John Beaumont*, Apsley, Huddersfield, Yorkshire, out of employment, May 10 at 10, County Court of Yorkshire, at Huddersfield.—*Thomas McCann* the younger, Great Malvern, Worcestershire, carpenter, May 10 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Thomas Shaw*, Manchester, toolmaker, May 3 at 1, County Court of Lancashire, at Manchester.—*William Keating Stock*, Hulme, Manchester, warehouseman, May 3 at 1, County Court of Lancashire, at Manchester.—*Thomas Smith*, Chorlton-upon-Medlock, Manchester, manufacturer of smallwares, May 3 at 1, County Court of Lancashire, at Manchester.—*Henry Grindley*, Manchester, foreman over railway porters, May 3 at 1, County Court of Lancashire, at Manchester.—*John Warrington*, Hulme, Manchester, warehouseman, May 3 at 1, County Court of Lancashire, at Manchester.—*Jesse Clarke*, Lincoln, hairdresser, May 6 at 10, County Court of Lincolnshire, at Lincoln.—*Robert Gresham*, Branton-fen, near Lincoln, farmer, May 6 at 10, County Court of Lincolnshire, at Lincoln.—*Joseph Porter*, Skellingthorpe, Lincolnshire, blacksmith, May 6 at 10, County Court of Lincolnshire, at Lincoln.—*Francis Mayne*, Bristol, grocer, May 8 at 11, County Court of Gloucestershire, at Bristol.—*Vincent Warner*, Witcombe, Martock, Somersetshire, farmer, May 2 at 10, County Court of Somersetshire, at Yeovil.—*William Bealey*, Burrage-farm, Tiverton, Devonshire, cattle dealer, May 16 at 10, County Court of Devonshire, at Tiverton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 7 at 11, before Mr. Commissioner HARRIS.

Edward Brenckley, Thomas-street, Horselydown, Surrey, warehouseman to wharfingers.—*James Barton*, Princess-street, Lisson-grove, Middlesex, japanner.—*George White*, Hensworth-street, Hoxton, Middlesex, journeyman to pianoforte makers.—*James Poynton* the elder, Clare-hall-cottages, Jamaica-level, Rotherhithe, Surrey, carpenter.—*Robert Porter*, Downing's-yard, Thames-tunnel-square, Rotherhithe, Surrey, chaff-cutter.—*Adam Clark*, Great Leonard-street, Shoreditch, Middlesex, butcher.

May 8 at 11, before the CHIEF COMMISSIONER.

Thomas Wool, Hornsey-road, Middlesex, coachmaker.—*John Dingle*, Melton-street, Euston-square, Middlesex, pianoforte manufacturer.—*William Joyce*, High-street, Stratford, Bow, Middlesex, saddler.

May 8 at 10, before Mr. Commissioner LAW.

Matthew Brown, Notting-hill-terrace, Notting-hill, Middlesex, out of business.

Saturday, April 20.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Christopher Dodsley, Swinnerton, Staffordshire, clerk, No. 71,934 C.; *Wm. Greaves*, assignee.—*John Rhodes*, Hudders-

field, Yorkshire, sawyer, No. 72,108 C.; Joseph Sutcliffe, assignee.—*John Boys*, Fulneck, Pudsey, Yorkshire, cloth manufacturer, No. 72,178 C.; Joseph Osborne, assignee.—*Rich. Pitt*, Dewsbury, Yorkshire, stonemason, No. 72,205 C.; John Haigh and Thomas Lister, assignees.

Saturday, April 20.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Hyam Ansell, Great Prescott-street, Goodman's-fields, Middlesex, bill broker: in the Debtors Prison for London and Middlesex.—*Arthur William Twiss*, Maryon-road, Charlton, near Woolwich, Kent, lieutenant in her Majesty's Royal Artillery: in the Queen's Prison.—*Edward Oswald*, Noel-street, Islington, Middlesex, commission agent: in the Queen's Prison.—*John Payne*, Cornhill, London, shopman to a silversmith: in the Debtors Prison for London and Middlesex.—*Thomas Jackson* the younger, Newman-street, Oxford-street, Middlesex, in no business: in the Debtors Prison for London and Middlesex.—*Richard Batley* the elder, Cobham's-farm, Stratford, Essex, corn merchant: in the Queen's Prison.—*Joseph Steel*, Mint-st., Southwark, Surrey, licensed victualler: in the Queen's Prison.—*Wm. Watson*, Little Chapel-street, Westminster, Middlesex, carrier: in the Queen's Prison.—*Simon Marks*, Middlesex-street, Whitechapel, London, sponge dealer: in the Debtors Prison for London and Middlesex.—*George Bilbrough*, Quaker-st., Spitalfields, Middlesex, potato dealer: in the Debtors Prison for London and Middlesex.—*Charles Thomas*, Robert-st., Grosvenor-sq., Middlesex, bottle dealer: in the Debtors Prison for London and Middlesex.—*Edward V. Crotty*, Hemies-terrace, King's-road, Chelsea, Middlesex, attorney at law: in the Debtors Prison for London and Middlesex.—*Wm. Henry Duff*, Caledonian-street, Battle-bridge, Middlesex, alameda beef-house keeper: in the Debtors Prison for London and Middlesex.—*Samuel Smith*, York-street, Commercial-road East, Middlesex, hairdresser: in the Debtors Prison for London and Middlesex.—*Thomas C. Abbot*, Blackfriars-road, Surrey, stockbroker's clerk: in the Queen's Prison.—*Randal M. Murtry*, Fore-street, Cripplegate, London, cheesemonger: in the Debtors Prison for London and Middlesex.—*Thomas Kellaway*, South-street, East-street, Walworth, Surrey, carpenter: in the Gaol of Horsemonger-lane.—*Thomas Davison*, Cheltenham, Gloucestershire, commission agent: in the Gaol of Gloucester.—*William James Dunn*, Balsall-beath, Worcestershire, attorney at law: in the Gaol of Coventry.—*Robert Thirlwall Foxton*, Fishergate, Ripon, Yorkshire, tailor: in the Gaol of York.—*Thomas Hasland*, Sheffield, Yorkshire, table blade forger: in the Gaol of Sheffield.—*John Tyrrell*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*H. Woodhouse*, Birmingham, tortoiseshell box manufacturer: in the Gaol of Coventry.—*Joseph West*, Harbury, near Southam, Warwickshire, schoolmaster: in the Gaol of Coventry.—*Philip Deedy*, Bath, Somersetshire, Italian warehouseman: in the Gaol of Wilton.—*Saml. Wm. Hunt*, Walton, near Glastonbury, Somersetshire, baker: in the Gaol of Wilton.—*Robert Bedford*, Fen Drayton, Cambridgeshire, tailor: in the Gaol of Cambridge.—*Matthew Croker*, Stonehouse, Devonshire, beer-shop keeper: in the Gaol of St. Thomas the Apostle.—*Thomas Jones*, Badpark, Coryton, near Tavistock, Devonshire, labourer: in the Gaol of St. Thomas the Apostle.—*John Parry*, Holyhead, Anglesea, chemist: in the Gaol of Beaumaris.—*John Bradley Andrew*, Luzley, near Ashton-under-Lyne, Lancashire, grocer: in the Gaol of Lancaster.—*John Burke*, Oldham-rd., Manchester, retail dealer in ale: in the Gaol of Lancaster.—*Wm. Green*, Wigan, Lancashire, clockmaker: in the Gaol of Lancaster.—*Chas. Hoskins*, Braashfield, Michlemarsh, Hampshire, innkeeper: in the Gaol of Winchester.—*E. Newman*, Norwich, Norfolk, warehouseman to a grocer: in the Gaol of Norwich.—*Wm. Richmond*, Crooke, Cockerham, near Lancaster, farmer: in the Gaol of Lancaster.—*Wm. J. Carlisle*, Greenwich, Kent, out of business: in the Gaol of Maidstone.—*Andrew Graham*, Newcastle-upon-Tyne, general provision dealer: in the Gaol of Newcastle-upon-Tyne.—*Joseph Hulke*, Birmingham, refiner: in the Gaol of Coventry.—*Jos. Howe*, Salford, Lancashire, provision dealer: in the Gaol of Lancaster.—*Wm. Mead*, Crech St. Michael, near Taunton, Somersetshire, butcher: in the Gaol of Wilton.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 9 at 11, before Mr. Commissioner PHILLIPS.

Joseph White, Welbeck-street, Cavendish-sq., Middlesex, plumber.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, May 7.

Joseph West, Harbury, near Leamington, schoolmaster.

At the County Court of Nottinghamshire, at NOTTINGHAM, May 9 at 9.

John Farrer, Sheffield, grinder.

At the County Court of Norfolk, at the Shire Hall, NORWICH CASTLE, May 9 at 10.

Jacob Barrows, West Walton, out of business.

At the County Court of Norfolk, at the Guildhall, NORWICH, May 8 at 10.

Edward Newman, Norwich, warehouseman to a grocer.

At the County Court of Kent, at MAIDSTONE, May 7.

Adjourned Cases.

James Collins, Crayford, out of business.—*Thos. F. Cape*, Dartford, veterinary surgeon.

Original.

Richard Coppen, Shepherd's Well, near Dover, carpenter.—*Wm. J. Carlisle*, Greenwich, out of business.—*J. Stevens*, Smerden, land surveyor.—*Thomas Barrow*, Lewisham, out of business.

At the County Court of Lincolnshire, at LINCOLN, May 6 at 10.

Anthony Robinson, Market Rasen, rope manufacturer.

At the County Court of Denbighshire, at RUTHIN, May 11 at 11.

John Roberts, Trefechan, Ruabon, sawyer.—*F. Windsor*, Cefn Mawr, Ruabon, baker.

At the County Court of Gloucestershire, at GLOUCESTER, May 13 at 10.

Thomas Davison, Cheltenham, out of business.

At the County Court of Somersetshire, at TAUNTON, May 10.

Walter Richards, West Camel, near Somerton, in no way of business.

FRIDAY, APRIL 26.

BANKRUPTS.

CHARLES VENER, Tunbridge Wells, Kent, builder, dealer and chapman, May 7 at 2, and June 4 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Stenning & Carnell, Tunbridge, Kent; Smith & Co., 3, Basinghall-street.—Petition filed April 19.

JOHN PATTINSON, Liverpool, grocer and provision dealer, dealer and chapman, May 10 and 31 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Tyrer, Liverpool.—Petition dated and filed April 20.

JOHN STANFORD and **HENRY BANNISTER**, Titford, Halesowen, Worcestershire, brickmakers, dealers and chapmen, (carrying on the trade with William Bennitt the younger, at Titford, under the style or firm of Stanford, Bennitt, & Bannister), May 13 and June 3 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Smith & James, Birmingham.—Petition dated April 23.

ALEXANDER SPEERS CORRICK, Bristol, timber dealer and broker, dealer and chapman, May 8 and June 5 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Brittan, Bristol.—Petition filed April 23.

JOHN POWELL, Upper Cabalva, Clifrow, Radnorshire, cattle dealer, dealer and chapman, May 8 and June 5 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Pugh, Hay, Breconshire; Britton & Sons, Bristol.—Petition filed April 15.

WILLIAM CHITTENDEN, Tarlington-place, and Church-street, Paddington, Middlesex, draper, hosier, silkmercer, haberdasher, dealer and chapman, May 7 at 12, and June 7 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Cooke, 30, King-street, Cheapside.—Petition dated April 24.

MEETINGS.

Richard Abram, Liverpool, merchant, May 7 at 11, District Court of Bankruptcy, Liverpool, pr. d.—**William Davis**, Preston, Lancashire, timber merchant, May 9 at 11, District Court of Bankruptcy, Manchester, pr. d.—**Wm. Foeberry** and **Edward Ingleby**, Liverpool, merchants, May 7 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—**John Edwards**, Manchester, manufacturer, May 10 at 11, District Court of Bankruptcy, Manchester, last ex.—**Robert Robson**, Newcastle-upon-Tyne, dealer in cement, May 10 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—**Samuel Metcalfe Latham**, Dover, Kent, banker, May 24 at half-past 1, Court of Bankruptcy, London, and ac.—**J. Berryhill Cross**, Cornhill, London, watchmaker, May 23 at 2, Court of Bankruptcy, London, and ac.—**James Brooks**, Winslow, Buckinghamshire, victualler, May 16 at 2, Court of Bankruptcy, London, and ac.—**Richard Langley**, Old Paradise-row, Islington, Middlesex, licensed victualler, May 14 at 12, Court of Bankruptcy, London, and ac.—**James Starkey**, Old-street, St. Luke's, Middlesex, carpenter and builder, May 14 at 11, Court of Bankruptcy, London, and ac.—**Samuel Charles Frupp**, Bristol, boarding-house keeper, May 9 at 11, District Court of Bankruptcy, Bristol, and ac.—**Peter Feeny**, Manchester, clothes dealer, May 9 at 12, District Court of Bankruptcy, Manchester, and ac.—**William Harris**, Manchester, merchant, May 6 at 12, District Court of Bankruptcy, Manchester, and ac.—**Henry Rotherham**, Chesterfield, Derbyshire, plumber, May 7 at 12, District Court of Bankruptcy, Manchester, and ac.; May 27 at 12, div.—**Thos. Procter**, Preston, Lancashire, spindle and fly maker, May 6 at 12, District Court of Bankruptcy, Manchester, and ac.; May 27 at 12, div.—**Alexander Slade Graham** and **George Smith Strader**, Oldham, Lancashire, contractors for public works, May 6 at 12, District Court of Bankruptcy, Manchester, and ac.—**Benjamin Lord**, Blackburn, Lancashire, coal dealer, May 7 at 12, District Court of Bankruptcy, Manchester, and ac.; May 27 at 12, div.—**Joseph Smith**, Hartley-cottage, and **Robert Smith**, Grange, Kirkburton, Yorkshire, fancy cloth manufacturers, May 9 at 11, District Court of Bankruptcy, Leeds, and ac.—**William Lister Oddie**, Clitheroe, Lancashire, scrivener, May 9 at 11, District Court of Bankruptcy, Leeds, and ac.—**John Houston**, Whitby, Yorkshire, keeper of an hotel, May 9 at 11, District Court of Bankruptcy, Leeds, and ac.—**William Dobbs**, Wolverhampton, Staffordshire, brassfounder, May 18 at 11, District Court of Bankruptcy, Birmingham, and ac.—**James Weeks**, Ryde, Isle of Wight, grocer, May 17 at 11, Court of Bankruptcy, London, div.—**John Haskins Gandell**, East Challow and Harrington, brewer, May 17 at half-past 11, Court of Bankruptcy, London, div.—**John Hudson Theobald**, Colchester, Essex, coal merchant, and **Jabez Church**, Deptford, Kent, coke manufacturer, May 17 at 11, Court of Bankruptcy, London, div.—**James Reed**, Bermondsey-street, Southwark, Surrey, hop merchant, May 17 at 12, Court of Bankruptcy, London, div.—**Joseph Yates Ashton**, Liverpool, builder, May 20 at 11, District Court of Bankruptcy, Liverpool, div.—**Griffith Evans**, Maes-y-pandy, Talylyn, Merionethshire, cattle dealer, May 17 at 11, District Court of Bankruptcy, Liverpool, div.—**Wm. Miles**, Worcester, stockbroker, May 23 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Henry John Stacey, Crosby-row, Walworth-road, Surrey, grocer, May 17 at half-past 11, Court of Bankruptcy, London.—**Joseph Slater**, Friday-street, Cheapside, London, warehouseman, May 18 at 12, Court of Bankruptcy, London.—**Henry Charles Cawston**, Upper Dorset-place, Clapham-road, Surrey, grocer, May 21 at 12, Court of Bankruptcy, London.—**William Woodbridge**, Mincing-lane, London, colonial broker, May 21 at 11, Court of Bankruptcy, London.—**Thos. Ellen**, Great Russell-street, Bloomsbury, Middlesex, coal merchant, May 21 at 1, Court of Bankruptcy, London.—**Wm.**

Ham Wallace, Sunderland, Durham, butcher, May 17 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—**Louis Bernard Choffin**, Bristol, and Corridor, Bath, Somersetshire, bookseller, May 20 at 11, District Court of Bankruptcy, Bristol.—**Thomas Skelton Sleightholm**, Scarborough, Yorkshire, painter, May 27 at 11, District Court of Bankruptcy, Leeds.—**J. Gouldsbrough**, Manchester, manufacturer, May 17 at 12, District Court of Bankruptcy, Manchester.—**Robert Savory**, St. Owen, Hereford, plumber, May 18 at 11, District Court of Bankruptcy, Birmingham.—**Lacy Perrers**, widow, Holsworthy, Devonshire, innkeeper, May 29 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

James Crisp the younger, Beccles, Suffolk, corn merchant.—**Daniel Slater**, Preston, near Uppingham, Rutlandshire, cabinet maker.—**Henry James Tyrer**, Newcastle-place, Clerkenwell-close, Middlesex, watchmaker.—**Sidney Nelson**, New Bond-street, Middlesex, music-seller.—**James Bonnin**, jun., Onslow-cottage, Brompton, Middlesex, builder.—**Henry Lockcock**, Raddon Court, Thorverton, Devonshire, dealer in artificial manures.—**John Ormsby Culyer**, Ampthill, Bedfordshire, gas fitter.—**Jonathan Lucas**, Aldgate High-street, Aldgate, London, licensed victualler.—**Samuel Wilson**, West Bromwich, Staffordshire, draper.

FIAT ANNULLED.

Peter Mann, Leeds, Yorkshire, corn factor.

SCOTCH SEQUESTRATIONS.

Ruthven Ritchie, Woodlands, by Perth, farmer.—**Alexander Meldrum**, dec., Dundee, clerk.—**James Noimies**, Edinburgh, grocer.—**Alex. Christie**, Ranallach, Cluny, Aberdeenshire, farmer.—**John Spence**, Edinburgh, tavern keeper.—**J. Angus**, Cuminstown, Aberdeenshire, merchant.—**Rathbone Brolier**, Portobello, potters.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Abraham W. Rhodes, Bordesley, Aston, Birmingham, fire-iron maker, May 13 at 2, County Court of Warwickshire, at Birmingham.—**Wm. Tolley**, Sedgley, Staffordshire, plumber, May 13 at 2, County Court of Warwickshire, at Birmingham.—**David Green**, Newton-in-Mackerfield, Lancashire, butcher, May 9 at 10, County Court of Lancashire, at Warrington.—**John Oakley**, West Bromwich, Staffordshire, shoemaker, May 8 at 12, County Court of Staffordshire, at Oldbury.—**William Wilkinson**, Beeston, near Leeds, Yorkshire, butcher, May 10 at 10, County Court of Yorkshire, at Leeds.—**Theophilus K. Ridley**, Pencombe, Herefordshire, farmer, May 17 at 10, County Court of Herefordshire, at Bromyard.—**Rich. Beeson**, Nettleham, Lincolnshire, butcher, May 9 at 10, County Court of Lincolnshire, at Lincoln.—**Thomas H. Boes**, Birmingham, out of employ, May 13 at 2, County Court of Warwickshire, at Birmingham.—**Benjamin Baggott**, Birmingham, iron-bottom maker, May 27 at 2, County Court of Warwickshire, at Birmingham.—**Wm. Tarver**, Birmingham, road-maker, May 13 at 2, County Court of Warwickshire, at Birmingham.—**Wm. Swadkin**, Birmingham, greengrocer, May 13 at 2, County Court of Warwickshire, at Birmingham.—**William Russell**, Coleshill, Warwickshire, huckster, May 13 at 2, County Court of Warwickshire, at Birmingham.—**Charles Baker**, Perry Barr, Staffordshire, out of business, May 13 at 2, County Court of Warwickshire, at Birmingham.—**Henry Sotham**, Henley-on-Thames, Oxfordshire, out of business, May 10 at 11, County Court of Berkshire, at Reading.—**Wm. Minelli**, Nocton, near Lincoln, labourer, May 9 at 10, County Court of Lincolnshire, at Lincoln.—**Wm. Adams**, Caldicot, Monmouthshire, farmer, May 20 at 11, County Court of Monmouthshire, at Chepstow.—**William Marmant**, Chepstow, Monmouthshire, innkeeper, May 20 at 11, County Court of Monmouthshire, at Chepstow.—**James Worrell** the younger, Wolverhampton, Staffordshire, retailer of beer, May 7 at 12, County Court of Staffordshire, at Wolverhampton.—**James Bradley**, Wolverhampton, Staffordshire, out of business, May 7 at 12, County Court of Staffordshire, at Wolverhampton.—**Thos. Wright**, Wolverhampton, Staffordshire, butcher, May 7 at 12, County Court of Staffordshire, at Wolverhampton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 10 at 10, before Mr. Commissioner LAW.

Edward Hitchcock, Union-st., Southwark, Surrey, barman to a licensed victualler.

May 11 at 11, before Mr. Commissioner PHILLIPS.

George Shuttleworth P. Greening, Vine-cottage, Gould's-green, Hayes, Middlesex, classical tutor.—Henry King, King-street, Hammersmith, Middlesex, grocer.—William Stanford, Washington-st., Mile-end-road, Middlesex, out of business.

May 13 at 11, before the CHIEF COMMISSIONER.

Timothy Stephens, Fleet-st., London, umbrella maker.—George Price, Putney, Lower-common, Surrey, retailer of beer.—Wrightson Robert Bryant, Selwood-place, Brompton, Middlesex, not in any business.

May 13 at 10, before Mr. Commissioner LAW.

James Cheek, Rugby-cottage, Shepherd's-bush, Hammersmith, Middlesex, coachmaker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 10 at 11, before Mr. Commissioner HARRIS.

Jas. Seggie, Richard's-place, Old-street, St. Luke's, Middlesex, type mould maker.—A. J. Kilby, Brook-st., Lambeth, Surrey, cow-keeper.—James Longstreth, Fetter-lane, Holborn, Middlesex, eating-house keeper.

May 13 at 11, before the CHIEF COMMISSIONER.

Peter De Cass, North-street, Whitechapel, Middlesex, out of business.—Edward V. Ovedty, Hemus-terrace, Chelsea, Middlesex, attorney at law.

May 13 at 10, before Mr. Commissioner LAW.

John Kirby, Villiers-street, Strand, Middlesex, wine dealer.—James Ireland, Clann-terrace, Harleyford-road, Vauxhall, Surrey, out of business.

May 11 at 11, before Mr. Commissioner PHILLIPS.

Henry Robinson Palmer, Hercules-buildings, Lambeth, Surrey, engineer.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

John Dowd, Liverpool, out of business, No. 72,189; John Widnall, assignee.—Robt. Sutcliffe, Clough Foot, Dubs-gate, near Todmorden, No. 72,220; James Hardman, assignee.—John Bird, Ashton-under-Lyne, out of business, No. 72,241; Saml. Morley, assignee.—Wm. B. Pattinson, Rock Ferry, near Liverpool, out of business, No. 72,289; George Garner, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, May 10 at 11.

Richard Standing, Waddington, near Clitheroe, out of business.—Benjamin Tetlow, Moss Side, Ashton-under-Lyne, operative cotton spinner.—J. Farrington the younger, Preston, cotton carder.—Chas. Berry, Preston, cabinet maker.—Richard Brakell, Birkenhead, near Liverpool, paper ruler.—Saml. Wood, Manchester, beerseller.—Joseph Howe, Salford, provision dealer.—Wm. Richmond, Cockeram, near Lancaster, farmer.—John Blinkhorn, Liverpool, plumber.—Wm. Turner, Manchester, joiner.—Patrick Donohoe, Liverpool, merchant.—William Duckworth, Kirkdale, near Liverpool, builder.—Henry Laybourn, Liverpool, bookkeeper.—James Knowles, Preston, out of employment.—William Lowrie, Liverpool, clerk at a steam-packet office.—Thomas Goret, Manchester, provision-shop keeper.—Wm. Green, Wigan, watch-maker.—Thomas Ashworth, Rochdale, dealer in cotton waste.—George Garnett, Chorlton-upon-Medlock, Manchester, warehouseman.—Joseph Garride, Pendleton, near Manchester, beerseller.—Thomas Pattinson, Lancaster, butcher.

At the County Court of Lincolnshire, at LINCOLN, May 9 at 10.

R. Parkinson the younger, Barholm, near Stamford, out of employment.

At the County Court of Gloucestershire, at GLOUCESTER, May 13 at 10.

George Leadbeater, Drybrook, labourer.

At the County Court of Dorsetshire, at DORCHESTER, May 21 at 12.

George Wyatt, West Fordington, captain and adjutant of the Dorset Militia.

At the County Court of Devonshire, at the CASTLE of EXETER, May 11 at 10.

Thomas Marshall the younger, Barnstaple, batter.—S. S. Dicker, Highweek, near Newton Bushell, carpenter.—John Leigh, North Petherwin, out of business.

At the County Court of Somersetshire, at TAUNTON, May 10.

Samuel Wm. Hunt, Walton, near Glastonbury, out of business.—Wm. Deanton, Burnham, near Bridgewater, painter.—E. J. M. Courtney, Lyncombe and Widcombe, spinster.

INSOLVENT DEBTOR'S MEETING.

Thomas Bird, May 11 at 10, Court-house, Upton-upon-Severn, sp. aff.

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Age.	For 7 Years, at an Annual Payment of	For 14 Years, at an Annual Payment of	Life Rate.
	£ s. d.	£ s. d.	£ s. d.
30	1 4 1	1 6 1	2 10 4
40	1 10 4	1 13 6	3 3 8
50	2 3 10	2 13 11	4 7 3
55	3 0 4	3 13 3	5 5 0
60	4 2 3	5 1 3	6 7 3
65	5 16 3	6 19 11	7 16 9

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* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

House of Lords	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Queen's Bench { G. J. P. SMITH, Esq. of the Inner Temple; and
Privy Council	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	W. B. BRETT, Esq. of Lincoln's Inn, Barristers at Law.
The Lord Chancellor's Court	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Queen's Bench Bail Court { H. PELLY HINDE, Esq. of the Inner Temple, Barrister at Law.
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Vice-Chancellor of England's Court	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	J. R. BULWER, Esq. of the Inner Temple, Barristers at Law.
Vice-Chancellor Knight Bruce's Court..... {	W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.	Court of Exchequer { W. M. BEST, Esq. of Gray's Inn, Barrister at Law.
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		Cases in Bankruptcy.... { W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.
		Crown Cases Reserved.. { ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, MAY 4, 1850.

WE are glad to see, by a letter of the Lord Bishop of London, recently made public*, (under his Lordship's authority), that so eminent a divine takes the same view of the judgment in *Mr. Gorham's case* that we have taken in this journal, viz. that it does not decide, or affect to decide, the doctrinal question upon which so much difference of opinion appears to exist. "I would desire you," says his Lordship, "to consider in what respect the recent judgment has so altered the character of our Church as to justify any of her members in severing their connexion with her. That judgment may be erroneous, may be a wrong interpretation of the Church's mind; but it is the interpretation adopted by a few fallible men, not by any body authorised by the Church to settle any point of doctrine; nor can it have the effect of changing any of the Church's doctrines. That of baptismal regeneration stands in her articles and liturgy as it did before. That is not denied, nor even questioned, by the judgment, the purport of which is, that to those who admit the Church's doctrine of baptismal grace, a greater latitude of explanation is permitted than you or I think right. But this, after all, is only the opinion of a Court of law, not the decision of the Church itself in Convocation. I hold, that until the Church's articles and formularies are altered by the authority of Convocation, or of some synod equivalent to Convocation, her character as a teacher of truth remains unchanged."

So far, the Lord Bishop's language is explicit enough. When so eminent a leader in the Church, holding to the doctrine of baptismal regeneration, expresses so distinct

an opinion that the Judicial Committee has decided nothing at all about that doctrine, except that, by law, Churchmen holding it, are to be allowed a larger liberty of construction than may seem fit in the eyes of either the Lord Bishop or Mr. Hope, it is difficult to understand why pious men should be so irate against the judgment, and should deem it as it were an upturning of the very foundations of the Church.

We do not quite so well understand what the Lord Bishop of London means in the next passage of his letter, in which he says:—

"I cannot regard any sentence of an Ecclesiastical Court as finally settling a question of doctrine: that can only be done by a synodical decree; and even then judges may err in their interpretation of that decree, and yet the decree itself will hold good; and in another appeal, respecting the very same point of doctrine, another Court might give a different judgment. I think, therefore, that nothing short of a formal act of the Church itself, repudiating what it has hitherto asserted as truth, can warrant a man in quitting her communion.

"What we really want is a Court of appeal so constituted that the members of our Church can place reasonable confidence in its decisions; but it must still be borne in mind, that any such Court will be liable to errors in judgment, and that it belongs to the office of a judge, not to make laws, but to expound them to the best of his ability."

In particular, we do not clearly understand what the learned prelate means by "a Court of appeal so constituted that the members of our Church can place reasonable confidence in its decisions."

It appears to us, that, in the passages above quoted, the Bishop is confounding the doctrine of the Church

* See the Times of the 1st May.

with the law of the land, treating a question of fact as a question of law. The question, what is the doctrine of the Church, is like a question of foreign law, or of the custom of merchants, or of any other custom, and, as such, is a question of fact, cognisable by a Court of law. No doubt, in this sense, no Ecclesiastical Court can, nor does it attempt to, *settle* a question of doctrine. What it does attempt is, to find out, by the written or oral evidence of learned divines, what the Church holds as a doctrine, and, having found that, it applies the law of civil rights accordingly. No doubt, also, it is true that the doctrine of the Church, if it be ascertained, can only be altered by an act of Convocation, assented to by the Queen, that being the body which the constitution recognises as possessing authority to declare what is the doctrine of the Church. But if the doctrine of the Church were altered by a decree of Convocation, the question, what is its doctrine, would still remain as before, a question of fact, and not of law. If the question of fact, as to the doctrine of the Church on all points, were clear; in other words, if the articles of the Church, (which are the act of a Convocation), taken in connexion with the authorised prayers and the practice of the Church, (which are looked at to aid in the construction of the articles), afforded a clear statement of what is the doctrine of the Church, there never could have been the difficulty which occurred in *Mr. Gorham's case*. But it was because the authoritative declarations of the Church herself, respecting the doctrine of baptismal regeneration, did not afford, not merely to laymen, but to pious, and learned, and inquiring ecclesiastics, that clear explanation which would produce a perfect, or nearly perfect, conformity between the witnesses to the fact—it was because, on the contrary, seeking evidence of the fact in the only way in which it could be obtained, viz. by examining the written testimony of learned ecclesiastical writers, and receiving the oral testimony of living ecclesiastics, the Judicial Committee was compelled to the conclusion that the doctrine of the Church is not, as a fact, precisely fixed—it was, we say, for these reasons, as we understand the judgment of that tribunal, that it came to the conclusion which it did adopt.

Now, having regard to this, which we believe is the true explanation of the action of a Court of law deciding upon civil rights, the title to exercise which depends upon such a question of fact as that of the doctrine of a Church, we do not, we repeat, at all clearly understand at what the Bishop of London points when he speaks of a Court of appeal in which the Church can place reasonable confidence. We gather rather from the language of his indiscreet followers, than from the eminently cautious and veiled language of the learned prelate himself, that his Lordship means, that what is wanted is a Court of appeal wholly, or even partly, composed of ecclesiastical *judges*. If that is what he means, then, we apprehend, that is not at all what the laity wants or desires; and moreover, that such a Court of appeal would be based on the most unsound and pernicious principles that could well be imagined. For the qualification most essential to a Court of justice, that which is at the very foundation of its impartiality, is, that it shall have no judicial opinion upon the facts to which it has to apply the law; that it shall take its judicial

knowledge of those facts from the evidence, and from the evidence only. Now, apply this to a Court of appeal sitting on such a case as *Mr. Gorham's*, and we should have probably an archbishop and a few bishops with certain fixed opinions on the disputed fact of doctrine, and another archbishop and a few other bishops with certain other fixed opinions on the same disputed fact. The result would of course be, a decision on a civil right of property, depending not on an inquiry into the fact, by minds judicially unfilled with any preconceived opinion, but on the fixed opinions of the majority of the judges. Such a tribunal would, in all cases of doubt as to what the doctrine of the Church is, be wholly incapable of doing justice: it would not ascertain the fact; it would come to the judgment-seat with its opinion ready made, and would take its own opinion for the fact—conscientiously, no doubt, but not so as to do justice.

We believe that the more this subject is considered, the better it will be understood that there is nothing, in cases involving questions as to what the doctrine of the Church is, which takes them out of the ordinary principles applied to all cases in which the right of parties to the enjoyment of civil rights, depends on their bringing themselves within the range of some rules or customs, the exact nature or limits of which are to be shewn to the Court by evidence. If there exists an authority which can declare—and such authority has authoritatively declared—the rule or custom, (as in the case of Convocation with regard to any doctrine of the Church), and if that authority has declared the rule *explicitly*, there can be neither difficulty for the Court nor danger to the Church, because the Court, finding the fact proved beyond dispute, applies the law without hesitation. If, on the other hand, the rule is not clearly expressed, so that those whose business it is to study and find out its meaning, differ in their construction of it, (as has been the case in this question of baptismal regeneration), then the Court does what it does in all such cases, it takes the rule to be as it is shewn by a preponderance of evidence; or, if it can find no preponderance of evidence within certain limits, it then takes the rule to be unsettled between those limits, and decides the civil right, depending on adherence to the rule, to exist, if the claimant has not exceeded the limits.

OBSERVATIONS ON THE NEW ORDERS IN CHANCERY.

WE return to the New Chancery Orders, as the subject is one necessarily of great interest to the Profession, for the purpose of further considering the range and mode of their application.

And first on the question whether they are intended to be applicable to cases not of the classes enumerated in Order I. It will be observed that that Order confines itself, with reference to pure *administration* suits, to the administration of *personal* estate. (Nos. 1 to 5, inclusive). But classes Nos. 6 to 11, inclusive, are applicable to real as well as to personal estate. It will be observed also, that, at any rate, classes Nos. 6, 7, 8, and 9, and particularly the two latter, are classes of suits in which there may be the usual incidents of a con-

tested suit, meaning thereby a suit in which a substantial contest takes place at the original hearing. A mortgagee, for instance, seeking foreclosure or sale, may be met, not by a mere claim to have the account taken, but by a denial of the existence or legal validity of the mortgage. A vendor seeking specific performance may be met by a defence compounded of a denial of the fact of any agreement; of the invalidity of the agreement, by reason of fraud or other extrinsic circumstances; of a contention as to the construction of the agreement, if there is a binding agreement; and, finally, of objections to the title; the latter of which defences only would be the subject of reference to the Master, the three former being objections on which the Court would or might have to decide at the hearing.

Now, since the Orders are *expressly* made applicable to such cases, it follows that in the Orders themselves must be sought the means of dealing with the difficulties of such cases, if it be possible. The 13th Order appears to give to the judges very large powers for this purpose; for on the hearing of the plaintiff's motion for his order, and the cause shewn by the defendant why the relief should not be granted, the Court may either grant or refuse the relief at once; or it may direct accounts and inquiries, which it may be presumed means accounts and inquiries in the Master's office; or it may direct *other proceedings* to be had, (language implying proceedings generally, in or out of the Master's office), for the purpose of ascertaining the plaintiff's *title to the relief* claimed; not, it will be observed, merely to ascertain the *extent* of the plaintiff's title, assuming him to have title, but the preliminary question also, whether he has any title at all: so that this Order, in sense as well as in literal terms, seems to contemplate cases where the evidence of witnesses may be required; where an examination of the defendant may be required; where an issue, or an action, or, in fact, any of those proceedings may be requisite which take place or may be directed in a suit commenced by bill and answer, after the answer has come in and been replied to. Assuming that we are correct in this, it seems to follow that the Orders must be intended to be applicable to at least all cases not exceeding in specialty, those cases susceptible of contest at the hearing, which are expressly included in the 1st Order; because it can hardly be supposed, consistently with the liberty given to the suitor, and the authority given to the Court by the 6th Order, that the Court is intended to have powers for the purpose of grappling with the difficulties that may occur in cases included expressly in the Orders, and to be precluded from the use of those powers, in reference to cases of no greater difficulty, permissively included in them.

We conclude, that, to any case not exhibiting on the face of the statements made on both sides, difficulties insurmountable, except by the machinery of bill and answer, the Orders are intended to be permissively applicable, though they may not be *ejusdem generis* with the cases included in Order I.

A question of considerable importance with regard to this part of the subject is, whether the New Orders can be applied to a case in which interlocutory relief, by injunction or otherwise, may be required. This seems

to depend principally on the effect of the 4th and 11th Orders, by which the defendant is to have at least fourteen days, after service of the writ of summons, to shew cause why the plaintiff should not have the relief claimed against him.

The 4th and 11th Orders, it is apprehended, apply only to the complete and final relief sought, and do not interfere with the general jurisdiction of the Court to grant limited interlocutory relief, pending the determination of the final question of equitable right between the parties. If they are to be construed to exclude preliminary relief, they must be so construed as well with reference to cases expressly included in the 1st Order, as to others; and as it is certain that, in many of those cases, it is every day's practice to require injunctions, and occasionally receivers, (as, for instance, in a suit by a legatee, charging the executor with malpractice or insolvency); and as it follows, that if these Orders exclude the possibility of such interlocutory relief before the time for shewing cause, they would be useless as to a large portion of the cases to which they are directed expressly to apply, it follows also, that nothing short of clear declaration, or irresistible inference to be collected from the language of the Orders themselves, can be expected to induce the Court to put upon them a construction so destructive of their efficiency.

Then is there any such irresistible inference—for specific declaration, it is clear, there is none—ousting the general jurisdiction of the Court to grant interlocutory protection, pending the final determination of the right to relief? We apprehend there is not. The 2nd Order simply substitutes the filing of a claim for the filing of a bill, and gives to the former proceeding the force and effect of the latter; so that a suit commenced by claim is as effectually launched, as a suit, as if it were commenced by bill. The 9th Order makes all claims and proceedings, &c. subject to the general rules and practice of the Court, so far as they are not inconsistent with the Orders. The 4th and 11th certainly do not, in terms, exclude interlocutory protection; and, taking them in conjunction with the 13th, we apprehend it to be clear that they refer to the shewing cause against, and determining, the title of the plaintiff to the *complete relief* that he demands, not to an interlocutory order, which never gives, in strictness, the relief demanded, but only protection against injury to the subject-matter of the right claimed, pending the determination of the title to it. All the Orders referred to, taken together, appear to us to leave subsisting the right of a plaintiff proceeding by claim, whether by common claim under the 1st Order, or by special claim under the 6th, to go to the Court for such interlocutory protection as he might have had if he had proceeded by bill; and we conceive, that the application for such protection will continue to be, as it is now, obtainable by motion *ex parte* or on notice, according to the case made, and supported by evidence on affidavit, according to the present practice.

It may, however, be urged, in opposition to this view of the question, that as there can be no answer, the defendant would, if the plaintiff might proceed under these Orders, be deprived of the advantage which the rule of practice, excluding affidavits against the answer, gives him in a suit commenced by bill. It would be also to be observed, that, unless the shewing cause on affidavit is to be treated as answering, the Orders would, in effect, abolish the common injunction for default in answering. And it may be thought that such material alterations in the practice cannot be implied, and that therefore the Orders are not intended to apply to injunction suits of any kind.

The answer to these objections seems to us, as to the first, that the practice of giving credit to the answer against any weight of affidavits, is one that has universally been condemned as both absurd and unjust, and

one that the Court will not be astute so save; and as to the second, that if the defendant at the proper time shews cause, the Court will deal with the case as it finds it; and that if the defendant makes default, the plaintiff will get his order, or so much of it as the Court thinks just; and that therefore the common injunction will never be wanted, except for want of appearance, as to which the Orders do not seem to require any alteration in the practice.

London Gazette.

TUESDAY, APRIL 30.

BANKRUPTS.

WILLIAM GEORGE CEELY, Cotton-st., Poplar, Middlesex, licensed carman and omnibus proprietor, May 7 and June 13 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. M'Leod & Stenning, London-street, Fenchurch-street.—Petition dated April 22.

JAMES BRIGHTON, Derby-st., Gray's-inn-road, Middlesex, licensed victualler, May 7 at half-past 1, and June 8 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Dimmock & Burbey, 2, Suffolk-lane, Cannon-street.—Petition dated April 25.

THOMAS COLLINGWOOD, Nuneham Courteney, Oxfordshire, innkeeper, May 11 at half-past 12, and June 22 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Ford & Lloyd, 5, Bloomsbury-square.—Petition filed April 27.

ANTHONY EDWARD CORVAN, Hampstead-road and Lisson-grove, Middlesex, baker, dealer and chapman, May 11 at half-past 12, and June 22 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Hubbard, Bucklersbury.—Petition filed April 26.

JAMES GUEST, Birmingham, commission agent, dealer and chapman, May 13 and June 17 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Rawlins & Rowley, Birmingham.—Petition dated April 24.

JOHN BROWN, Bristol, builder, dealer and chapman, May 14 and June 11 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Harley, Bristol.—Petition filed April 25.

JAMES VILLAR, Leckhampton and Cheltenham, Gloucestershire, maltster, dealer and chapman, May 13 at 12, and June 10 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Winterbotham & Bell, Cheltenham.—Petition filed April 26.

CHARLES PEARSON, Sheffield, Yorkshire, licensed victualler, May 11 and June 22 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Chambers, Sheffield.—Petition dated April 23; filed April 24.

CONRAD GREENHOW the younger, Newcastle-upon-Tyne, timber merchant, May 7 at half-past 10, and July 10 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Hoyle, Newcastle-upon-Tyne; Crosley & Compton, Church-court, Old Jewry.—Petition filed April 22.

MEETINGS.

Wm. Sheward, St. Giles, Norwich, pawnbroker, May 10 at 12, Court of Bankruptcy, London, last ex.—**Wm. Mays Hartridge**, Woodbridge, Suffolk, grocer, May 10 at 1, Court of Bankruptcy, London, last ex.—**Joseph Raphael**, Liverpool, jeweller, May 13 at 11, District Court of Bankruptcy, Liverpool, last ex.—**John Mulholland** and **William Mulholland**, Liverpool, merchants, May 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**John Greenshields** and **Matthew Strang**, Liverpool, merchants, May 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**Robt. Taylor**, Liverpool, merchant, May 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**Wm. Lawton**, Liverpool, auctioneer, May 10 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**Henry Fenwick**, Liverpool, banker, May 10 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**Thomas Wheeler**, Liverpool, fruit merchant, May 10 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**Samuel Glenny**, Liverpool, corn merchant, May 10 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**Charles Sanderson**, Sheffield, Yorkshire, iron merchant, May 11 at 10, District Court of Bankruptcy,

Sheffield, aud. ac.—**Hugh Parker**, Ofley Shore, J. Brown, and **John Rodgers**, Sheffield, Yorkshire, bankers, May 11 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—**Thos. D. Hammond**, Kingston-upon-Hull, druggist, June 5 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. and first and fin. div.—**Edward Hewitt**, Lincoln, miller, June 5 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. and first and fin. div.—**James Sauer**, Kingston-upon-Hull, tailor, May 22 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. and fin. div.—**John Price**, Birmingham, chairmaker, May 23 at 12, District Court of Bankruptcy, Birmingham, div.—**Robt. Wm. Godwin**, Lincoln, shipbuilder, May 29 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, fin. div.—**Wm. Suddaby**, Kingston-upon-Hull, millwright, May 29 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Williams, Epsom, Surrey, draper, May 22 at 12, Court of Bankruptcy, London.—**James Tidmarsh**, Regent-street, Middlesex, and Cheltenham, Gloucestershire, draper, May 22 at 11, Court of Bankruptcy, London.—**G. Palmer**, Longmere, Norfolk, cattle dealer, May 22 at 12, Court of Bankruptcy, London.—**Edwin Litchfield**, Ipswich, Suffolk, upholsterer, May 21 at 2, Court of Bankruptcy, London.—**Thomas Rowan**, Cambridge, draper, May 21 at 11, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

Valentine Rimell, Hammersmith, Middlesex, timber merchant.—**James Triggs**, Southampton, upholsterer.—**Edw. W. Lemm**, Princes-street, Hanover-square, Middlesex, military outfitter.—**George Woods**, Portsea, Southampton, saddler.—**Joseph Fielding**, Middleton, Lancashire, corn dealer.—**John Harrington**, Manchester, commission agent.—**Saml. Glens**, Liverpool, commission merchant.—**Wm. Rothery**, Worley, Leeds, Yorkshire, clothier.—**Samuel Gibson**, York, licensed victualler.—**Thomas Don**, Swinton Iron-works, Yorkshire.—**Samuel Stead**, Bradford, Yorkshire, druggist.

SCOTCH SEQUESTRATIONS.

Parker & Co., Greenock, millers.—**Geo. Webster**, Edinburgh, writer to the Signet.—**P. B. Parker**, Paisley, manufacturer.—**George Dodds**, Bullion, near Dundee, auctioneer.—**James Murdoch**, Glasgow, writer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joshua Evans, Liverpool, cart owner, May 6 at 10, Liverpool District County Court, at Liverpool.—**William North**, Liverpool, railway clerk, May 6 at 10, Liverpool District County Court, at Liverpool.—**Fred. Lowe**, Liverpool, butcher, May 6 at 10, Liverpool District County Court, at Liverpool.—**John Atkinson**, Liverpool, assistant to a blacksmith, May 6 at 10, Liverpool District County Court, at Liverpool.—**Wm. Benson**, Liverpool, architect, May 6 at 10, Liverpool District County Court, at Liverpool.—**Geo. M. Baily**, Liverpool, dealer, May 6 at 10, Liverpool District County Court, at Liverpool.—**James Osborne**, Kidderminster, Worcestershire, out of business, May 15 at 9, County Court of Worcestershire, at Kidderminster.—**Stephen Davy**, West Bradenham, Norfolk, grocer, May 13 at 12, County Court of Norfolk, at Swaffham.—**Richard Webber**, King's Lynn, Norfolk, tailor, May 11 at 2, County Court of Norfolk, at King's Lynn.—**S. Joss**, Yorton, Broughton, Shropshire, farmer, May 13 at 12, County Court of Shropshire, at Wem.—**James Glasscock**, Eastchurch, Isle of Sheppy, Kent, grocer, May 18 at 10, County Court of Kent, at Sheerness.—**Wm. Rice**, Sheerness, Isle of Sheppy, Kent, grocer, May 18 at 10, County Court of Kent, at Sheerness.—**Wm. Wilson**, Birkenhead, Cheshire, commission merchant, May 3 at 10, County Court of Cheshire, at Birkenhead.—**John Wilson**, Cheltenham, Gloucestershire, cabinet maker, May 21 at 10, County Court of Gloucestershire, at Cheltenham.—**James Rathmell**, Selby, Yorkshire, shoemaker, May 9 at 10, County Court of Yorkshire, at Selby.—**William Bithell**, Penyfford, Rhuddlan, Flintshire, farmer, May 6 at 11, County Court of Flintshire, at St. Asaph.—**James Walters**, Rushall, Staffordshire, bridge cutter, May 10 at 12, County

Court of Staffordshire, at Walsall.—*William S. Bell*, Selby, Yorkshire, Custom-house officer, May 9 at 10, County Court of Yorkshire, at Selby.—*Richard George Christopher*, Chatham, Kent, ropemaker, May 9 at 10, County Court of Kent, at Rochester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 14 at 11, before Mr. Commissioner HARRIS.

Wm. Nelson the elder, Church-street, Church-fields, Old Kent-road, Surrey, assistant to a retailer of beer.—*George Phillips*, Trafalgar-place, Walworth-road, Surrey, clerk to a draper.—*Thomas Skelton Hay*, Dempsey-street, Stepney, Middlesex, warehouseman.

Saturday, April 27.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

Charlotte Kopsch, Wharton-street, Pentonville, Middlesex, No. 60,933 T.; *Samuel Joseph Bayfield*, assignee.—*John M'Keand*, Gloucester-terrace, New-road, Commercial-road, Middlesex, linendraper, No. 61,384 T.; *John Falshaw Pawsen*, assignee.—*William Hunt*, Frogmore, Wandsworth, Surrey, carrier, No. 61,423 T.; *Henry Parker Leigh*, assignee.—*David Jackson*, York, attorney-at-law, No. 72,172 C.; *John Walind*, assignee.—*Walter Love*, Huddersfield, Yorkshire, pawnbroker's assistant, No. 72,202 C.; *William Richardson*, assignee.—*Thomas Davison*, Stainton, near Stokesley, Yorkshire, commercial traveller, No. 72,203 C.; *William Braithwaite*, assignee.—*Joseph Ewbank*, Eggleston, near Middleton, in Teesdale, Durham, publican, No. 72,242 C.; *John Dawson Blackett Hind*, assignee.—*Matthew Trotter*, Red-house, near Whorlton, Durham, countryman, No. 72,265 C.; *James Brown Simpson*, assignee.—*William Partington*, Manchester, attorney-at-law, No. 15,201 C.; *Charles James Partington*, new assignee, in place of *Peter Hurst*, deceased.

Saturday, April 27.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Richard Rastall, York-road, Lambeth, Surrey, clerk to an attorney: in the Debtors Prison for London and Middlesex.—*Patrick William M'Mahon*, Cecil-street, Strand, Middlesex, captain in her Majesty's 44th Regiment of Foot, on full pay: in the Queen's Prison.—*John Robertson*, Church-street, Shore-ditch, Middlesex, hairdresser: in the Queen's Prison.—*William Carpenter*, John-street, Adelphi, Middlesex, newspaper agent: in the Debtors Prison for London and Middlesex.—*Priee Humphreys*, White Conduit-place, Pentonville, Middlesex, beer dealer: in the Debtors Prison for London and Middlesex.—*Thomas William Spooner*, Gloucester-terrace, New-road, Whitechapel, Middlesex, linendraper: in the Queen's Prison.—*Henry Coles*, Cranbourne-street, Leicester-square, Middlesex, seedsman: in the Debtors Prison for London and Middlesex.—*Joseph Brace*, Sidney-street, Brompton, Middlesex, tanner: in the Debtors Prison for London and Middlesex.—*James Poupert* the younger, Walham-green, Fulham, Middlesex, agent for the Sewage Manure Company: in the Debtors Prison for London and Middlesex.—*John Wood*, Woodford, Essex, carpenter: in the Debtors Prison for London and Middlesex.—*Benjamin Steill*, Little Queen-street, Lincoln's Inn-fields, Middlesex, bookseller: in the Debtors Prison for London and Middlesex.—*Eliza Patterson*, Gower-street, Bedford-square, Middlesex, manufacturer of polishing paste: in the Debtors Prison for London and Middlesex.—*William Eaton*, Caroline-street, Bedford-square, Middlesex, musician: in the Debtors Prison for London and Middlesex.—*Jonathan Fryer*, Brooksby-street, Liverpool-road, Islington, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Frederick Edward Kelsey*, Marine-cottage, Marine-street, Dockhead, Surrey, cowkeeper: in the Queen's Prison.—*Louis Watson*, Craven-street, Strand, Middlesex, coal merchant: in the Queen's Prison.—*John Fred. Munch*, Hunter-street, Dover-road, Southwark, Surrey, tailor: in the

Gaol of Surrey.—*Friedrich Wilhelm Fleck*, Belgrave-terrace, Queen's-road, Dalston, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Thomas White*, Church-street, Greenwich, Kent, butcher: in the Debtors Prison for London and Middlesex.—*William Rathbone*, Haberdasher-place, Hoxton, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*William Hodge*, Haymarket, St. James's, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*George Walter Jolliffe Meallin*, Cumberland-buildings, John-street, Holland-street, Blackfriars-road, Surrey, wine merchant: in the Debtors Prison for London and Middlesex.—*Edwin Patrick Broughton*, Stonedon-villa, Stonedon, near Brentwood, Essex, farmer: in the Debtors Prison for London and Middlesex.—*Richard Henry Barker*, Arthur-street, Wall-street, Hackney, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*Nathaniel William Wrench*, Old Ford, Bow, Middlesex, foreman to a whiting-maker: in the Debtors Prison for London and Middlesex.—*James Bothamley*, Fleet-fen, near Holbeach, Lincolnshire, in no business: in the Gaol of Lincoln.—*P. Donohoe*, Liverpool, merchant: in the Gaol of Lancaster.—*W. Duckworth*, Kirkdale, near Liverpool, builder: in the Gaol of Lancaster.—*G. Garnett*, Brightmet, near Bolton-le-Moors, Lancashire, overlooker to a bleacher: in the Gaol of Lancaster.—*William Graham*, Richmond, Yorkshire, licensed victualler: in the Gaol of York.—*John Leigh*, North Petherwin, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*Edward Lawrence*, Shirley-common, Hampshire, shoemaker: in the Gaol of Winchester.—*William Turner*, Manchester, joiner: in the Gaol of Lancaster.—*John Blinkhorn*, Great Crosby, near Liverpool, fireman to the Dublin Steam-packet Company: in the Gaol of Lancaster.—*Robert Burgoyne*, Summer Town, near Oxford, draper: in the Gaol of Oxford.—*George Dodd*, Guilden Sutton, Cheshire, labourer: in the Gaol of Chester.—*Richard Grimeshaw*, Salford, Lancashire, wheelwright: in the Gaol of Lancaster.—*John Hughes*, Guilden Sutton, Cheshire, labourer: in the Gaol of Chester.—*Angelo Molteni*, Newcastle-upon-Tyne, looking-glass dealer: in the Gaol of Newcastle-upon-Tyne.—*John Shacklock*, Spalding, Lincolnshire, in no business: in the Gaol of Lincoln.—*John Thomas*, Garnwen, Llanvarthney, Carmarthenshire, farmer: in the Gaol of Carmarthen.—*Isaac Dolphin*, Bilston, Staffordshire, butty collier: in the Gaol of Stafford.—*Charles Rogers*, Waynyrlugan Llanelly, Breconshire, carrier: in the Gaol of Monmouth.—*Wm. Marlow* the younger, Norton, near Workop, Nottinghamshire, blacksmith: in the Gaol of Nottingham.—*Jane Sturgis*, Bristol, housekeeper: in the Gaol of Bristol.—*David Prichard Hughes*, Carnarvon, chemist: in the Gaol of Carnarvon.—*Wm. Jarman*, Bartholomew-square, London, innkeeper: in the Gaol of Carlisle.—*Wm. Townsend Dance*, Plymouth, Devonshire, captain in the Royal Navy: in the Gaol of St. Thomas the Apostle.—*Richd. Lacey* the elder, Corn Dean Farm, near Winchcomb, Gloucestershire, farmer: in the Gaol of Gloucester.—*John Middleton*, Hulme, Manchester, commission agent: in the Gaol of Lancaster.—*Amelia Middleton*, spinster, Hulme, Manchester: in the Gaol of Lancaster.—*Thomas Robinson*, Stockton-upon-Tees, Durham, grocer: in the Gaol of Durham.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 14 at 11, before the CHIEF COMMISSIONER.

Arthur Wm. Twiss, Charlton, near Woolwich, Kent, first lieutenant of her Majesty's Royal Artillery.—*Thos. Kellaway*, South-st., East-st., Walworth, Surrey, carpenter.

May 14 at 10, before Mr. Commissioner LAW.

John Payne, Cornhill, London, shopman to a silversmith.

May 16 at 11, before Mr. Commissioner PHILLIPS.

Thos. Courtney Abbott, Miller's Hotel, Blackfriars-road, Surrey, out of business.—*George Chappel*, Bury-street, Fulham-road, Chelsea, Middlesex, traveller to commission agents.—*Wm. Brown*, Hawley-crescent, Kentish-town, Middlesex, jeweller.—*Patrick Wm. M'Mahon*, Cecil-st., Strand, Middlesex, captain on full pay in her Majesty's 44th or East Essex Regiment of Foot.—*Samuel West Alabaster*, Tabernacle-walk, Finsbury, Middlesex, beer-shop keeper.—*James Miller*, Howland-st., Fitzroy-square, Middlesex, stationer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Derbyshire, at DERBY, May 18 at 11.

Samuel Line, Hayfield, Glossop, grocer.

At the County Court of Hampshire, at WINCHESTER, May 15.

Charles Hoskins, Brashfield, Michlemarsh, out of business. —Edward Lawrence, Shirley, Milbrook, shoemaker.

At the County Court of Staffordshire, at STAFFORD, May 13 at 10.

Thomas Lee, Tipton, corn dealer. —Isaac Dolphin, Bilston, Wolverhampton, butty collier.

At the County Court of Northamptonshire, at NORTHAMPTON, May 15.

Jas. Pinfold, Middleton Cheney, near Banbury, innkeeper.

INSOLVENT DEBTORS' DIVIDENDS.

John Lewis, Down, Kent, carpenter: 1s. 3d. in the pound. —James Turner Powell, Middleton-square, Clerkenwell, Middlesex, clerk in the Paymaster-General's office: 8½d. in the pound. —Thomas Harrop, Eltham, Kent, coal dealer: 3s. 1½d. in the pound. —Thomas Carman, Giltspur-st., London, ironmonger: 1s. 7½d. in the pound. —Christopher Headen, Salford, near Manchester, milk-seller: 5s. 3d. in the pound. —Henry William Alphonsus Farley, Fleet-st., London, repository for toys: 3s. 10½d. in the pound. —William Lister, High Town, Birstal, near Leeds, Yorkshire, card-maker: 1½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

Edward Crook, Edgworth, Lancashire, labourer, May 20 at 3, Lever's Arms Hotel, Bolton-le-Moors, sp. aff.

FRIDAY, MAY 3.

BANKRUPTS.

CHARLES PENFOLD, Arundel, Sussex, ironmonger, dealer and chapman, May 21 at 12, and June 18 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Holmes, Arundel; Lewis, 6, Raymond-buildings, Gray's-inn. —Petition filed May 1.

FREDERICK TAPLEY, Warminster, Wiltshire, linen-draper, May 14 at 2, and June 11 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Lawrence & Co., 25, Old Fish-street. —Petition filed April 18.

RICHARD HEATH, Three Colt-street, Limehouse, Middlesex, brassfounder, dealer and chapman, May 11 at half-past 12, and June 13 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Freeman & Bothamley, Coleman-street. —Petition dated April 23.

GEORGE GEARY MASON, Cinderhill, Ringley, Lancashire, cotton spinner, dealer and chapman, May 15 and June 5 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Sale & Co., Manchester. —Petition filed April 22.

GEORGE AUGUSTUS MUNRO, late of Fredericton, New Brunswick, now of Liverpool, England, merchant, dealer and chapman, (late partner with William Jarvis Bedell and John Henry Chalmers, of Fredericton aforesaid, merchants, trading under the firm of W. J. Bedell & Co.), May 16 and June 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Holden, Liverpool. —Petition dated April 24; filed April 30.

JOEL WILSON, West Bromwich, Staffordshire, iron manufacturer, dealer and chapman, May 22 and June 12 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Hodgson, Birmingham. —Petition dated April 22.

GEORGE PAGE, Wolverhampton, Staffordshire, coal dealer, May 17 and June 12 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Bolton, Wolverhampton. —Petition dated April 29.

JOSEPH CHILTON, Bath, Somersetshire, apothecary, dealer and chapman, May 14 and June 11 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Hollings, Bath. —Petition filed May 2.

RICHARD KEITLEY, Cheltenham, Gloucestershire, builder, dealer and chapman, May 15 and June 12 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Packwood, Cheltenham. —Petition filed May 2.

GEORGE WILSON, Wakefield, Yorkshire, draper, dealer and chapman, May 23 and June 21 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Grundy, Manchester; J. & J. W. H. Richardson, Leeds. —Petition dated April 26; filed April 27.

NOAH GEORGE BOND, Huddersfield, Yorkshire, book-seller and stationer, dealer and chapman, May 21 and June 10 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Clough, Huddersfield; Courtney, Leeds. —Petition dated April 24.

EDWARD WRAY, Kingston-upon-Hull, draper and mercer, May 15 and June 5 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Shackles & Son, Hull. —Petition dated April 24.

JOHN HOLLINGWORTH, Kingston-upon-Hull, ship-owner, May 15 and June 5 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Wells & Smith, Hull; Burrell, White Hart-court, Lombard-street, London. —Petition dated April 4.

JAMES PENNOCK, York, farrier and veterinary surgeon, dealer and chapman, May 23 and June 21 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Dale, York; Balmer, Leeds. —Petition dated April 24; filed April 25.

MEETINGS.

Edw. Wolsey, Wereham, Norfolk, corn merchant, May 15 at half-past 12, Court of Bankruptcy, London, and ac.; May 17 at 12, last ex. —G. Smith, Cumberland-row, King's-cross, Battle-bridge, Middlesex, cheesemonger, May 14 at 12, Court of Bankruptcy, London, last ex. and aud. ac. —T. Bretherton, Birmingham, livery-stable keeper, May 22 at 12, District Court of Bankruptcy, Birmingham, last ex. —George Sharp and Robert L. Pluder, Romsey, Southampton, timber merchants, May 17 at 11, Court of Bankruptcy, London, and ac.; May 24 at half-past 11, div. —Alfred Octavius Tesser, Edmonton, Middlesex, fruiterer, May 17 at 11, Court of Bankruptcy, London, and ac. —Henry John Stacey, Crosby-row, Walworth-road, Surrey, grocer, May 17 at half-past 11, Court of Bankruptcy, London, and ac. —Henry Stratton, Aylesbury, Buckinghamshire, trader, May 17 at 12, Court of Bankruptcy, London, and ac. —John Sydenham, Poole, Dorsetshire, printer, May 15 at 12, Court of Bankruptcy, London, and ac. —John Belbin, Beaumont-street, St. Marylebone, Middlesex, coachmaker, May 15 at half-past 11, Court of Bankruptcy, London, and ac. —John Worrells, Cambridge, upholsterer, May 15 at 11, Court of Bankruptcy, London, and ac. —Joseph Shelford, Standon, Hertfordshire, butcher, May 15 at half-past 1, Court of Bankruptcy, London, and ac. —Wm. C. Bartlett, Goswell-st., St. Luke, and Rosemary-lane, Whitechapel, Middlesex, pastrycook, May 15 at 2, Court of Bankruptcy, London, and ac. —Thomas Garrett, Stowmarket, Suffolk, coachmaker, May 23 at half-past 1, Court of Bankruptcy, London, and ac. —Joseph Milstead, Brouley, Kent, builder, May 20 at 11, Court of Bankruptcy, London, and ac.; May 27 at half-past 1, div. —Wm. Orchard, West Smithfield, London, and Hornsey, Middlesex, marquee manufacturer, May 20 at 11, Court of Bankruptcy, London, and ac.; May 27 at half-past 11, div. —John Prentice, Oxford, ironmonger, May 14 at 1, Court of Bankruptcy, London, and ac. —John Pym, Broad-st., London, merchant, May 20 at 11, Court of Bankruptcy, London, and ac. —Edward Miles and Henry Miles, Miles-terrace, East Greenwich, Kent, builders, May 17 at half-past 12, Court of Bankruptcy, London, and ac. —George B. Pettit, Brook-street, New-road, St. Pancras, and Upper St. Martin's-lane, Middlesex, ironmonger, May 17 at half-past 12, Court of Bankruptcy, London, and ac. —Henry Aldrich, Ipswich, Suffolk, corn merchant, May 17 at half-past 12, Court of Bankruptcy, London, and ac. —Joseph Purcell, Wellington-st., Waterloo-town, and Mile-end New-town, Bethnal-green, Middlesex, butcher, May 17 at 12, Court of Bankruptcy, London, and ac. —John Lloyd, New Oxford-street, Middlesex, hosier, May 17 at half-past 12, Court of Bankruptcy, London, and ac. —James Smith, King-street, Snow-hill, London, engraver, May 17 at half-past 12, Court of Bankruptcy, London, and ac. —Richard Green, Brighton, Sussex, ironmonger, May 17 at 12, Court of Bankruptcy, London, and ac. —John Baker, Cheltenham and Gloucester,

Gloucestershire, shoe manufacturer, May 17 at 12, Court of Bankruptcy, London, and. ac.—*Ezekiel Julian* and *John Julian*, New Buckenham, Norfolk, grocers, May 17 at 12, Court of Bankruptcy, London, and. ac.—*Samuel Banfill*, Edward-street, Langham-place, St. Marylebone, Middlesex, cabinet maker, May 17 at half-past 11, Court of Bankruptcy, London, and. ac.—*Charles Wright*, Crooked-lane, King William-st., London, commission agent, May 17 at half-past 11, Court of Bankruptcy, London, and. ac.—*Griffith Evans*, Maes-y-Pandy, Talyllyn, Merionethshire, cattle dealer, May 16 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Thos. Cox* and *Thomas Whites*, Hanley, Staffordshire, drapers, May 22 at 12, District Court of Bankruptcy, Birmingham, and. ac.; May 29 at 12, fin. div.—*John Price*, Birmingham, chair-maker, May 16 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*John Jones* the younger and *Thos. Oakes*, Kingswinford, Staffordshire, ironmasters, May 15 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*J. Bowers*, Worcester, wine merchant, May 18 at 11, District Court of Bankruptcy, Birmingham, and. ac.—*Thomas Henry Spence*, Newcastle-upon-Tyne, tailor, May 30 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; May 31 at 11, fin. div.—*W. H. Ambler*, Bishop Auckland, Durham, banker, May 28 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*George Jameson*, Newcastle-upon-Tyne, mercer, May 28 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; May 30 at 12, div.—*Rich. Ellerbeck*, Pilkington, Lancashire, cotton spinner, May 13 at 1, District Court of Bankruptcy, Manchester, and. ac.—*Saml. Jones*, Manchester, timber merchant, May 13 at 1, District Court of Bankruptcy, Manchester, and. ac.; May 29 at 11, div.—*Charles Edmonstone*, Over Darwen, Lancashire, paper manufacturer, May 13 at 12, District Court of Bankruptcy, Manchester, and. ac.; May 28 at 12, div.—*Thomas Lano*, Portland, Dorsetshire, baker, May 29 at 11, District Court of Bankruptcy, Exeter, and. ac.; May 30 at 1, div.—*Geo. D. Buzas*, Axminster, Devonshire, butter merchant, May 29 at 11, District Court of Bankruptcy, Exeter, and. ac.; May 30 at 1, div.—*John Reay* the younger and *Henry Reay*, Mark-lane, London, wine merchants, May 27 at 1, Court of Bankruptcy, London, div.—*J. Oliver*, Queen's-road, Bayswater, Middlesex, plumber, May 27 at 2, Court of Bankruptcy, London, div.—*Wm. Livermore*, Oxford-street, Middlesex, iron-monger, May 24 at 11, Court of Bankruptcy, London, div.—*John S. Gowing*, Swaffham, Norfolk, bookseller, May 25 at 12, Court of Bankruptcy, London, div.—*Louise Roelants*, Argyll-street, Regent-street, Middlesex, milliner, May 23 at half-past 11, Court of Bankruptcy, London, div.—*James Pullin*, Wickwar, Gloucestershire, haulier for hire, May 27 at 11, District Court of Bankruptcy, Bristol, div.—*H. Grant*, Cardiff, Glamorganshire, watchmaker, May 28 at 12, District Court of Bankruptcy, Bristol, first and fin. div.—*J. Morris*, Brecon, druggist, May 30 at 11, District Court of Bankruptcy, Bristol, first and fin. div.—*James Hymers*, Gateshead, Durham, newspaper proprietor, May 30 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, first and fin. div.—*James Thompson*, Leeds, Yorkshire, tea dealer, May 24 at 11, District Court of Bankruptcy, Leeds, div.—*Chas. Sanderson*, Sheffield, Yorkshire, iron merchant, May 25 at 10, District Court of Bankruptcy, Sheffield, div.—*Hugh Parker*, Offley Shore, John Brewin, and John Rodgers, Sheffield, Yorkshire, bankers, May 25 at 10, District Court of Bankruptcy, Sheffield, div. sep. est. of *H. Parker*.—*John Mulholland* and *Wm. Mulholland*, Liverpool, merchants, May 27 at 11, District Court of Bankruptcy, Liverpool, div.—*Richard Blundell*, Liverpool, distiller, May 27 at 12, District Court of Bankruptcy, Liverpool, div.—*John Greenfields* and *Matthew Strang*, Liverpool, merchants, May 27 at 11, District Court of Bankruptcy, Liverpool, div.—*Richard Ellerbeck*, Pilkington, Lancashire, cotton spinner, May 29 at 11, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Lee, King's Mills-wharf, Rotherhithe, Surrey, barge builder, May 24 at 11, Court of Bankruptcy, London.—*Jas. Barr*, New Turnstile, High Holborn, and Old-road, St. Pancras, Middlesex, builder, May 24 at 1, Court of Bankruptcy,

London.—*J. H. Musgrave*, Eastcott-place, Ferdinand-street, Hampstead-road, Middlesex, embroiderer, May 28 at 11, Court of Bankruptcy, London.—*John Stead*, Melcombe Regis, Dorsetshire, grocer, May 25 at 1, Court of Bankruptcy, London.—*Jonathan Payne*, Milton-st., Dorset-square, Middlesex, livery-stable keeper, May 28 at 1, Court of Bankruptcy, London.—*Maria Mundy*, Barking Churchyard, London, tailor, May 28 at 12, Court of Bankruptcy, London.—*Joseph Downham*, Harrogate, Yorkshire, wine merchant, May 27 at 12, District Court of Bankruptcy, Leeds.—*James C. Allon*, North Shields, Northumberland, brewer, May 30 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*J. Richards*, Cefncoedcymmer, Vaynor, Breconshire, licensed victualler, May 29 at 11, District Court of Bankruptcy, Bristol.—*Thos. Lediard*, Cirencester, Gloucestershire, money scrivener, May 30 at 11, District Court of Bankruptcy, Bristol.—*John Bedford*, Bath, Somersetshire, music seller, May 28 at 12, District Court of Bankruptcy, Bristol.—*Joe. Smith* and *Robt. Smith*, Kirkburton, Yorkshire, fancy cloth manufacturers, May 24 at 11, District Court of Bankruptcy, Leeds.—*Joseph Stevens* the younger, Coalbournbrook, Amblescote, Staffordshire, glass manufacturer, May 29 at 12, District Court of Bankruptcy, Birmingham.—*Frederick Peake*, Honiton, Devonshire, woollendrapery, May 29 at 11, District Court of Bankruptcy, Exeter.—*Maurice Jones*, Delamere, Cheshire, livery-stable keeper, May 27 at 12, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Benjamin Cubitt Stely, Beechgrove, North Walsham, Norfolk, money scrivener.—*Thos. Marshall*, Hatfield-st., Christchurch, Surrey, licensed victualler.—*Lot Pulbrook*, Cambridge-place, Hackney-road, Middlesex, grocer.—*Theodore Napoleon Benard*, Newcastle-upon-Tyne.—*John Jones*, Tanyrallt, Llanddulas, Denbighshire, quarryman.

PARTNERSHIPS DISSOLVED.

Edward Bower and *Henry Reynolds*, Birmingham, attorneys and solicitors.—*Thomas Ward*, John Wm. Ward, and Wm. Leman, Newcastle-under-Lyme, Staffordshire, attorneys, solicitors, and conveyancers, (under the firm of Ward, Son, & Leman), so far as regards the said *William Leman*.

SOOTOM SEQUESTRATIONS.

George Arthur, Ferry-Port-on-Craig, baker.—*Wm. Loosemore Pulman*, Woodhall Mill, near Currie, Edinburgh, paper manufacturer.—*Thos. Bain & Co.*, Glasgow, wrights.—*Wm. Heining*, deceased, Edinburgh, dealer in railway shares.—*Mrs. Isabella Bain*, or *Ellison*, widow, Tain, hotel keeper.—*J. Smith*, Grange Mill, near Forfar, farmer.—*Peter Stewart*, Edinburgh, coach hire.—*Thomas Dickson*, Forfar, horse dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Wilson, Hexham, Northumberland, gardener, May 24 at 2, County Court of Northumberland, at Hexham.—*John Henry Thorburn*, Corbridge, Northumberland, druggist, May 24 at 2, County Court of Northumberland, at Hexham.—*E. Guy*, Newcastle-upon-Tyne, out of business, May 22 at 10, County Court of Northumberland, at Newcastle.—*Edward Hadaway*, North Shields, Northumberland, jobbing shipwright, May 23 at half-past 10, County Court of Northumberland, at North Shields.—*James Hewison*, Winton, Durham, out of business, May 27 at 10, County Court of Durham, at Gateshead.—*Thomas Smith*, Gateshead, Durham, traveller, May 27 at 10, County Court of Durham, at Gateshead.—*John Baringale*, Guildford, Surrey, coach painter, May 21 at 1, County Court of Surrey, at Guildford.—*John Roseblade*, Latten, Wiltshire, stonemason, May 17 at 11, County Court of Wiltshire, at Swindon.—*William Morris*, Dudley Port, Tipton, Staffordshire, butty collier, May 9 at 3, County Court of Worcestershire, at Dudley.—*Thomas Bernard*, Newport, Monmouthshire, master mariner, May 21 at 10, County Court of Monmouthshire, at Newport.—*Jos. Sheldon*, West Bromwich, Staffordshire, licensed victualler, May 8 at 3, County Court of Staffordshire, at Oldbury.—*Edmund Stephens*, Chippenham, Wiltshire, baker, May 15 at half-past 11, County Court of Wiltshire, at Chippenham.—*Wm. Wilkes*, Darlaston, Staffordshire, bolt screw maker, May 10 at 12, County Court of Staffordshire, at Walsall.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 17 at 11, before Mr. Commissioner HARRIS.

Wolf Hyams, Beaumont-buildings, Cannon-st.-road, St. George's-in-the-East, Middlesex, assistant to a shoe manufacturer.—Thos. Sutton, Pond-place, Clapham-road, Middlesex, out of business.—Wm. Carpenter, Sackville-st., Piccadilly, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, May 22 at 10.

John Wm. Robt. Carr, Corbridge, out of business.

At the County Court of Anglessey, at LLANGFNI, May 21 at 10.

John Parry, Holyhead, chemist.

At the County Court of Shropshire, at SHREWSBURY, May 14 at 10.

John Price, Oaken Gates, mercer.

At the County Court of Carnarvonshire, at CARNARVON, May 20 at 10.

David Richard Hughes, Carnarvon, chemist.

At the County Court of Suffolk, at BURY ST. EDMUND'S, May 27 at 10.

John Onion, Dullingham, Cambridgeshire, wheelwright.

At the County Court of Sussex, at LEWES, May 21.

William Smart, Lewes, chairmaker.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—Joseph Challinor, of Leek, Staffordshire; Joseph Batley, of Huddersfield; Robert Eagle Clarke, of Thetford, Norfolk.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Edward John Hutchins, Esq., for the borough of Lynton, in the room of the Hon. George Thomas Keppel, who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

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MAY 11, 1850.

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LONDON, MAY 11, 1850.

THE Court of Queen's Bench has decided, within the last few days, that there is no rule of law prohibiting a barrister from taking a brief directly from the suitor without the intervention of an attorney*. It was admitted, in the judgment of the Court delivered by Lord Campbell, that the practice in civil causes had been otherwise, that professional etiquette was in favour of such practice, and that it would be for the benefit of the public that it should continue; but it was held, that, as there was no legal obligation to follow the practice, it was not competent for the Courts to refuse to hear a barrister instructed by the suitor, and that such refusal was a ground for a new trial. His Lordship traced the progress of the English Bar in this respect, and said that the only statutory provision upon it is in the County Courts Act, 9 & 10 Vict. c. 95, s. 91, whereby it is enacted, that no counsel shall appear in the said courts unless instructed by an attorney; that the statutes allowing prisoners to make their full defence by counsel in all cases of felony are silent as to the manner in which they are to be instructed; that in the criminal courts the rule requiring the intervention of an attorney does not prevail, and it is difficult to draw any distinction for this purpose between civil and criminal proceedings. It was also stated, that serjeants' counters existed in England before the statute of Edward I, and that there was reason for believing that they (after the fashion of the Roman patrons) communicated directly with the parties. By degrees the advantages of having a division in the business, and having two orders of practitioners, became more

and more felt; but for a long time the attorney was employed only to sue out processes, or to do what was necessary to bring causes to trial and execution. "I highly approve," added his Lordship, "of the distinction which has been drawn between the functions of a barrister and those of an attorney. The intervention of attorneys between the barrister and his client has contributed not only to the dignity of the Bar, but to the improvement of English jurisprudence. . . . I am by no means insensible to the inconvenience which may result from this privilege, on the part of the clients, being now judicially recognised; but I trust that this decision will not alter the uniform practice which has existed for more than a century, and that the interference of the judges will not be necessary to rectify any abuses."

The decision in the foregoing case is one which might have been expected, inasmuch as the institution of the Bar in England is, for the most part, based on no positive law, but rather upon its legal recognition for many centuries, and the exercise of the general authority possessed by the Superior Courts of justice, of regulating the privilege to practise in them. All who feel the rights and duties of counsel, and the relation in which they stand to the public, will agree in the observations of the Court upon the advantages of keeping distinct the two branches of our Profession—the barrister and the attorney.

Formerly the barrister could act alone for the suitor; then it became the practice, and was adopted as a rule of etiquette among the members of the Bar, that an attorney should intervene; it is now decided that such intervention is not required by law.

But although a barrister may act without an attorney, sufficient care has been taken by our

* Doe d. Bennett v. Hale, May 8, 1850.



prevent a barrister from acting as an attorney. On the other hand, until lately, an attorney was not permitted to assume the office of the advocate.

Mr. Pulling, in his late work on the Law of Attornies, (p. 7), says—"The province of an attorney has been always considered in this country, as it was in the civil law, to be very distinct from that of a barrister, both with respect to the character of advocate and that of counsellor; for though, practically, attornies do occasionally act as advocates in some of our inferior courts, and before police magistrates, and are commonly resorted to, in the first instance, for legal advice, and are expected to have a competent degree of skill and knowledge of the law, yet in no case, except, perhaps, in that of persons charged with criminal offences before justices of the peace, can attornies demand the privileges of an advocate. (See *Collier v. Hicks*, 2 B. & Ad. 673; *Cox v. Coleridge*, 1 B. & Cr. 37; *Rees v. Barron*, 3 B. & Al. 43). . . . It is an invariable object with the judges in Westminster Hall, as Lord Denman, C. J., recently expressed it, 'that no connexion should exist between the two branches of the Profession which would be likely to lead to any malpractice in either.' (*Ex parte Bateman*, 6 Q. B. 853). . . . It has been held, even in inferior courts, where attornies ordinarily practise as advocates, that they cannot at the same time give evidence of anything they would otherwise be in a situation to depose to in the cause; (*Stone v. Byron*, 4 Dowl. & L. 398); and where the justices at quarter sessions have, to avoid similar inconveniences, made an order giving exclusive audience to barristers, such order has been held valid and approved of by the Courts at Westminster. (*Rees v. The Justices of Denbigh*, 1 New Mag. Cas. 547)."

This distinction between the functions of the two branches of the Profession, and the barrister's legal right to be instructed directly by his client, appear to have been completely lost sight of in the County Courts Act, and in the proposed bill for their extension. Attornies and advocates are placed exactly on the same footing as regards the advocacy of the cause, but a barrister ~~must~~ be instructed by an attorney. By sect. 91 of the 9 & 10 Vict. c. 95, an attorney, or a barrister instructed by an attorney, or (by leave of the judge) any other person, may appear for a party to the cause, but no fee is to be allowed for counsel except by leave of the judge. The effect of this enactment is to place the barrister in a worse position than any other person in the county court, for it renders the employment, and therefore the expense, of an attorney a requisite preliminary to the employment of counsel; while attornies, and (by leave of the judge) even unprofessional persons, may act as advocates at once upon the suitor's retainer.

We do not, however, complain of the intervention of attornies between client and counsel, nor would we, considering the practice which has prevailed in this respect, raise objections to attornies appearing as counsel in cases involving small amounts, (sums not exceeding 20*l.* in actions of contract, and 5*l.* in actions of tort), where they have been engaged as attornies by the client; but we do complain of the threatened ouster of the Bar from their accustomed rights and privileges, which they exercise not only for their own benefit, but for that of the public; we complain of the now frequent

practice of attornies employing other attornies as advocates, and we object to the union of two offices, each of which should be preserved in its integrity, both for the sake of the public and of the Profession. The employment of counsel may be rendered consistent with the cheap administration of justice, and we trust that the English Bar will not submit to a complete usurpation of their time-honoured and most useful privileges, but that they will firmly assert their right to exclusive audience in those cases to which it is now proposed to extend the jurisdiction of the county courts.

We have received many communications respecting the amendment of the stamp laws, all complaining, in strong terms, both of the oppressive operation of the stamp duties themselves, and of the multitude, intricacy, and obscurity of the statutes by which they are regulated. The statutes relating to the stamp duties, and still wholly or partially in force, would fill a large volume of ordinary print; the very titles of them occupy several pages in Mr. Tilley's treatise. The obscurity of the enactments, and the difficulty of applying them in practice, are notorious. Yet errors are visited with a punishment which, as one of our correspondents justly observes, would be too severe for an intentional evasion; and the punishment most commonly falls, not on the legal adviser who commits the error, but on some unconscious claimant under the instrument, in the shape, at the least, of a heavy penalty, and often of the heavy costs and other disastrous consequences of failure in an action.

The Ministerial measure, which, it appears, has not yet been abandoned, would undoubtedly improve the stamp laws, but it falls far short of what ought to be done, and might be done with the greatest facility. The whole of the existing stamp acts ought to be replaced by a single consolidated statute, embodying so much of the law as the necessities of the revenue may be supposed to require, and removing such of the ambiguities and errors in the old acts as have been brought to notice in the reported cases, or in the treatise. Such an act, with the help of the treatises on stamps, might be readily prepared in a week. It should contain a clause declaring all instruments executed before the introduction of the bill to have been duly stamped.

Several of our correspondents urge the expediency of an agitation for the total abolition of all stamp duties—a proposal in which we heartily concur. There can be no doubt that they are by far the most mischievous and unjust of all our taxes; the revenue produced by them is exactly known, and an equivalent addition to the income and property tax would not be so great as materially to increase the temptations to evasion of that tax.

The Profession would benefit largely by a bargain under which the whole of the stamp duties, except the certificate duty, would be repealed. Their agitation for the minor object of abolishing the latter duty seems likely to be successful; but an agitation against the stamp laws generally would carry with it the sympathies of the public at large.

Correspondence.

TO THE EDITOR OF "THE JURIST."

SIR,—There is reason to believe that the Profession is not generally aware of the provisions of the 137th section of the Bankrupt Law Consolidation Act, 1849, which relates to judges' orders; and it may be expedient to call attention to the enactments of that clause, and particularly taken in conjunction and in contrast with the provisions of the 133rd and 136th sections.

The 133rd section declares valid executions against a bankrupt's lands executed by seizure, and against his goods executed by seizure and sale, before the bankruptcy, without notice of any act of bankruptcy, and bona fides existing throughout the business: "Provided that nothing therein contained shall be deemed or taken to give validity to . . . any execution founded on a judgment on a warrant of attorney, or cognovit actionem, or judge's order obtained by consent given by any bankrupt by way of fraudulent preference."

This clause is under head 20 of the act, "Of Transactions not affected by Bankruptcy;" but its provisions are much at variance with clauses 136 and 137, which are under head 21, "Of Warrants of Attorney," &c. The same observation might, perhaps, apply also to sect. 135.

Sect. 136 enacts, that a warrant of attorney or cognovit actionem by a trader, not filed within twenty-one days, according to the provisions of the 3 Geo. 4, c. 39, "shall be deemed fraudulent, null, and void, to all intents and purposes whatever." It says nothing of the judgment and execution which may be founded on such an instrument, nor does it declare the warrant of attorney or cognovit to be given by way of fraudulent preference, in the terms of sect. 133: it simply enacts, that it shall be deemed fraudulent, &c. It would seem, that if a warrant of attorney be "void to all intents and purposes whatever," no valid—that is, merely irregular—proceeding can be founded upon it; but if such be the construction of this section, coupled with sect. 133, then an apparently material part of the 137th section is quite unnecessary.

Sect. 137, so far as necessary to be quoted for the present purpose, is as follows:—"Be it enacted, that every judge's order made by consent given after the passing of this act by any such trader defendant in any personal action, and whereby the plaintiff in such action shall be authorised forthwith after the making of such order, or at any future time, to sign or enter up judgment, or to issue or take out execution in such action, and whether such order shall be made subject to any defence or condition, or not, in case the action in which such order shall be made shall be in the Court of Queen's Bench, or in case the action wherein the same is made shall be in any other court, a true copy of such order shall, together with an affidavit of the time of such consent being given, and a description of the residence and occupation of the defendant, be filed with the officer acting as clerk of the docket and judgments in the said Court of Queen's Bench within twenty-one days after the making of such order, in like manner as a warrant of attorney in any personal action and a cognovit actionem given by any defendant in any personal action, or copies thereof, and affidavits of the execution thereof respectively, may be filed with the said clerk within twenty-one days after such warrant of attorney or cognovit actionem shall have been executed, otherwise such judge's order, and any judgment signed or entered up thereon, and any execution issued or

taken out upon such judgment, shall be null and void to all intents and purposes whatever."

Therefore, not only is the order null and void to all intents and purposes whatever, but the judgment and execution share the same fate by express enactment; so that, under this section, whatever construction may be put upon other parts of the statute, a trader defendant, taken in execution upon a judgment signed by virtue of such an unfiled order, would be entitled to be discharged from custody upon his own application. Execution against the person is taken as the example, because it illustrates most forcibly the operation of the clause, and is irrespective of giving any undue advantage to the execution creditor over other creditors; and if the above be not the effect of this section, then the clear words, "null and void to all intents and purposes whatever," do not mean null and void to all intents and purposes whatever.

It may be that the 136th section was framed with the intent, that the sheriff executing a writ against the defendant might be protected, the judgment and execution not being thereby declared void. If such conjecture be correct, the sheriff will have no protection under the 137th section; but the writ of execution, being wholly null and void to all intents and purposes whatever, is in law no writ at all, but a blank piece of parchment, and so no justification for taking the defendant under a ca. sa., or for seizing his lands or goods under other writs of execution.

If the judgment be wholly null and void, it is evident that lapse of time or subsequent proceedings will not cure the defect. A judgment may be registered, become a charge upon the defendant's lands, and enforced as such, and after all the title of a purchaser turn out to be altogether bad, in consequence of the fatal but latent defect of the instrument on which it was founded not having been filed in time.

Whatever decision may be given upon the 177th clause, should it come before the Courts, it is desirable that the Profession, and more particularly that branch which is practically and daily dealing with judges' orders of this kind, should be aware of the construction which may be, and it would seem must be, put upon it.

Of course, these remarks apply to traders only; but who can assert positively of any individual that he is certainly not a trader within the meaning of the bankrupt laws?

T. D.

GENTLEMEN CALLED TO THE BAR.

The following Gentlemen have been called to the degree of Barrister at Law:—

LINCOLN'S INN.—D. F. Atcherley, Esq.; G. W. Fitzhugh, Esq.; William Massey, Esq.; Edward Warner, Esq.; F. B. Wingfield, Esq.; G. W. Hemming, Esq.; Henry Mathews, Esq.; F. G. West, Esq.; W. W. Talby, Esq.

INNER TEMPLE, May 3.—Henry Fitzmaurice Hallam, Esq., M.A.; George Shaw, Esq., B.A.; Montague Bere, Esq., B.A.; Charles Throsby, Esq., S.C.L.; John Parnell, Esq., B.A.; John Forster Baird, Esq., B.A.; Henry George Simonds, Esq., S.C.L.; Thomas Wilson Morley, Esq., B.A.; William Field, Esq.; William Girling, Esq., B.A.; Stephen Thomas Clissold, Esq., B.A.

MIDDLE TEMPLE.—A. E. Burch, Esq.; S. Reeve, Esq.; H. Jessel, Esq., B.A.; J. L. Smith, Esq.; C. L. Webb, Esq.; L. H. Bayley, Esq.; G. W. Hastings, Esq.; J. B. Torr, Esq.; A. Gilchrist, Esq.

GRAY'S INN, April 17.—Thomas Trevetham Spicer, Esq., M.A., LL.B. May 1.—Henry William Vincent, Esq.

London Gazette.

TUESDAY, MAY 7.

BANKRUPTS.

JOHN BURGESS NUNN, Colchester, Essex, and Ipswich, Suffolk, tailor, clothier, and woollendrapery, May 15 at 11, and June 21 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Sole & Turner, 68, Aldermanbury, London.—Petition filed May 2.

GEORGE WOLLAND TUCKER, Tottenham-court-road, Middlesex, furrier, dealer and chapman, May 20 and June 20 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Sole & Turner, 68, Aldermanbury, London.—Petition dated May 6.

SAMUEL MEANLEY, Walsall, Staffordshire, butcher, horse dealer, farmer, dealer and chapman, May 18 and June 17 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Slaney, Birmingham.—Petition dated May 4.

GASKELL JOHNSON, Liverpool, coal and commission merchant, dealer and chapman, May 21 and June 11 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Dodge, Liverpool.—Petition dated April 27.

FREDERICK DUNCAN, Liverpool, merchant, May 21 and June 11 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Harvey & Co., Liverpool.—Petition dated April 25.

THOMAS SAMUEL BROWNE, Manchester, patent agent, machine broker, and merchant, May 17 and June 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Cunliffe & Co., Manchester.—Petition filed May 3.

MEETINGS.

James W. Hickling, Mars-wharf, Montague-close, Southwark, Surrey, wharfinger, May 18 at 2, Court of Bankruptcy, London, last ex.—George Stone, Colchester, Essex, grocer, May 15 at 1, Court of Bankruptcy, London, aud. ac.—James Ward, Upper Ground-street, Christchurch, Surrey, ironmonger, May 30 at 12, Court of Bankruptcy, London, div.—Charles Yorks, Cambridge, upholsterer, May 30 at half-past 12, Court of Bankruptcy, London, div.—John Yates, Guernsey, and York-road, Lambeth, Surrey, shipowner, May 30 at half-past 11, Court of Bankruptcy, London, div.—J. Slaney, Wellington-place, Hackney, Middlesex, and Skinner-street, Bishopsgate, London, cabinet maker, May 30 at 11, Court of Bankruptcy, London, div.—Robert Hebblethwaite, Southwark, Halifax, and James Hirst, Halifax, Yorkshire, dyers, June 3 at 12, District Court of Bankruptcy, Leeds, fin. div.—James Walton, Leeds, Yorkshire, tailor, May 28 at 12, District Court of Bankruptcy, Leeds, fin. div.—John Jackson, Lackenby, Yorkshire, builder, May 28 at 1, District Court of Bankruptcy, Leeds, fin. div.—Wm. Shaw, Leeds, Yorkshire, ironfounder, May 28 at 11, District Court of Bankruptcy, Leeds, first and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Pym, Broad-street, London, merchant, May 28 at 12, Court of Bankruptcy, London.—Alexander Macleod Burghes, Cheapside, London, bookseller, May 29 at 11, Court of Bankruptcy, London.—John Sydenham, Poole, Dorsetshire, printer, May 29 at 12, Court of Bankruptcy, London.—John Lloyd, New Oxford-street, Middlesex, hosier, May 30 at 2, Court of Bankruptcy, London.—Joseph Purcell, Wellington-street, Waterloo-town, and Mile-end New-town, Bethnal-green, Middlesex, butcher, May 30 at 1, Court of Bankruptcy, London.—Peter Fielding, Rhyl, Flintshire, hotel keeper, May 31 at 11, District Court of Bankruptcy, Liverpool.—Mary Levi, Julia Levi, and Esther Levi, Liverpool, stationers, May 31 at 11, District Court of Bankruptcy, Liverpool.—Wm. Smythman, Rugeley, Staffordshire, builder, May 29 at 12, District Court of Bankruptcy, Birmingham.—Charles Lowe Swainson and John Birchwood, Manchester, manufacturers, May 29 at 11, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Richard Brown Addison, Sumner-street, Southwark, Surrey, engineer.—George Fletcher Sharples, Manchester, hosier.—Samuel Rodgett, Blackburn, Lancashire, ironfounder.

FIATS ANNULLED.

Daniel Evans, Merthyr Tydvil, Glamorganhire, carpenter and builder.—Arthur Williams, Narbeth, Pembrokeshire, draper and general shopkeeper.

SCOTCH SEQUESTRATIONS.

Henry McKerrow, deceased, Glenshamroch, Sorn, Ayrshire, farmer.—Donald Campbell Grant, Forres, Elginshire, writer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Sower, Keldgate, Beverley, Yorkshire, relieving officer to the guardians of the poor of the Beverley Union, May 14 at 11, County Court of Yorkshire, at Beverley.—Thomas Martin, Portsea, Hampshire, tailor, May 28 at 10, County Court of Hampshire, at Portsmouth.—Thomas Martlew, Great Haywood, Stowe, Staffordshire, tailor, May 13 at 10, County Court of Staffordshire, at Stafford.

Saturday, May 4.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Dunn, Ilminster, Somersetshire, plumber, No. 72,919 C.; William Pontifex, assignee.—Edward Bell, Piccadilly, Middlesex, gentleman, No. 58,797 T.; Henry George Robinson, assignee.—William Edgar, Newcastle-upon-Tyne, insuper, No. 72,300 C.; Samuel Ridley and Thomas Thompson, assignees.—David Davies, Blaenavon Iron-works, Monmouthshire, haulier, No. 72,171 C.; Thomas John Evans, assignee.

Saturday, May 4.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Neveill P. Ravenhill, Great Windmill-street, St. James's, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—James M. H. Sparks, Park-place, Devonshire-street, Stepney, Middlesex, labourer at the West India Docks: in the Debtors Prison for London and Middlesex.—John Watson, Fore-street, Limehouse, Middlesex, labourer at the West India Docks: in the Debtors Prison for London and Middlesex.—Edward Fred. Gandell, Church-street, Chelsea, Middlesex, civil engineer: in the Queen's Prison.—William Brown, King-square, Goswell-road, Middlesex, dealer in chemicals: in the Debtors Prison for London and Middlesex.—T. Court, Thornton-place, South-st., Walworth, Surrey, war-housman: in the Gaol of Horse-monger-lane.—James Green, Seymour-place, Bryanstone-sq., Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—Wm. Knighton, jun., Leather-lane, Holborn, Middlesex, tallowchandler: in the Debtors Prison for London and Middlesex.—Daniel P. Blake, Park-pl., Peckham, Surrey, shoemaker: in the Debtors Prison for London and Middlesex.—Richard Pennfather, Spur-street, Leicester-sq., Middlesex, not in any trade: in the Queen's Prison.—John Wm. King, Trinity-place, Charing-cross, Middlesex, bookkeeper: in the Queen's Prison.—Chas. Johnson, Ropemakers-street, Moorfields, London, out of business: in the Debtors Prison for London and Middlesex.—Wm. Attwells, Great Winchester-st., Broad-st., London, out of employ: in the Debtors Prison for London and Middlesex.—James Cossey, Marshall-st., Golden-sq., Middlesex, letting broker: in the Debtors Prison for London and Middlesex.—Robert Mather, Old North-st., Red Lion-sq., Middlesex, law writer: in the Debtors Prison for London and Middlesex.—Henry W. Dempsey, Whitechapel-road, Middlesex, operative chemist: in the Debtors Prison for London and Middlesex.—James Dickinson, Foley-place, Great Portland-st., Middlesex, commission agent: in the Queen's Prison.—Thomas Norrell, Pleasant-row, Hickman's Folly, Dockhead, Bermondsey, Surrey, coal porter: in the Gaol of Horse-monger-lane.—William Mortleman, Charles-street, Hatton-garden, Middlesex, grocer: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

John Homer, George-street, Wyndham-road, Camberwell, Surrey, out of business: in the Queen's Prison.

(On their own Petitions).

John Holdsworth, Woolshops, Halifax, Yorkshire, out of business: in the Gaol of York.—*Wm. Harris*, Leeds, Yorkshire, out of business: in the Gaol of York.—*William Silk*, Over, Cambridgeshire, labourer: in the Gaol of Cambridge.—*Joseph Sloper*, Gravesend, Kent, grocer: in the Gaol of Maidstone.—*Wm. Walker*, Bedale, Yorkshire, joiner: in the Gaol of York.—*John Bevan*, Lanygorse, Carmarthenshire, labourer: in the Gaol of Carmarthen.—*Alice Broughton*, Manchester, lodging-house keeper: in the Gaol of Manchester.—*Robert Crothers*, Newcastle-upon-Tyne, bookseller: in the Gaol of Newcastle-upon-Tyne.—*William Firth*, Yeadon, near Leeds, Yorkshire, linendraper: in the Gaol of York.—*W. Howarth*, Hatfield, near Doncaster, Yorkshire, husbandman: in the Gaol of York.—*John Haley*, Hunslet, near Leeds, Yorkshire, bricklayer: in the Gaol of York.—*Susan Norris*, Manchester, lodging-house keeper: in the Gaol of Manchester.—*Wm. D. Bramwell*, Armitage-bridge, near Huddersfield, Yorkshire, grocer: in the Gaol of York.—*John Cleaver*, Sittingbourne, Kent, commission agent: in the Gaol of Maidstone.—*Morgan Clayton*, Merthyr Tydvil, Glamorganshire, tailor: in the Gaol of Cardiff.—*Saul Dyson*, New-road-side, near Keighley, Yorkshire, woolcomber: in the Gaol of York.—*John Trounwell*, Stonehouse, Devonshire, innkeeper: in the Gaol of St. Thomas the Apostle.—*W. Mason*, Liverpool, timber merchant: in the Gaol of Lancaster.—*W. Thompson* the elder, Birmingham, glass cutter: in the Gaol of Coventry.—*J. Scott*, Bradford, Yorkshire, shopkeeper: in the Gaol of York.—*P. Bedford*, Liverpool, out of business: in the Gaol of Lancaster.—*Charles Dearman*, Goole, Yorkshire, shoemaker: in the Gaol of York.—*Robert Henry Gill*, Hartlepool, Durham, ship broker: in the Gaol of Durham.—*Thomas Ganson*, Thorngate, Barnard Castle, Durham, tailor: in the Gaol of Durham.—*John Hamilton*, Wokingham, Berkshire, saddler: in the Gaol of Reading.—*Wm. Ridler*, Linthwaite, near Huddersfield, Yorkshire, railway contractor: in the Gaol of York.—*Wm. Sanders*, York, out of business: in the Gaol of York.—*Robt. Slater*, York, out of business: in the Gaol of York.—*John Price*, Great Yarmouth, Norfolk, hotel keeper: in the Gaol of Norwich.—*Wm. Culley* the elder, Gedling, Nottinghamshire, farmer: in the Gaol of Nottingham.—*John Clarkson*, West Stonesdale, Yorkshire, out of business: in the Gaol of York.—*Edmund Thomas Clarkson*, West Stonesdale, Yorkshire, lead miner: in the Gaol of York.—*Henry Edward Fardell*, Maidenhead, Berkshire, lieutenant in her Majesty's 9th Regiment of Foot: in the Gaol of Reading.—*John Gerside*, Holt Mill, near Blackburn, Lancashire, corn miller: in the Gaol of Lancaster.—*Henry Moore*, Clavering, Essex, miller: in the Gaol of Springfield.—*William Postlethwaite*, Sand-side, near Ulverston, Lancashire, joiner: in the Gaol of Lancaster.—*Abraham Wakefield*, Braintree, Essex, brewer: in the Gaol of Springfield.—*John Alderson*, Meeker, Swaledale, Yorkshire, joiner: in the Gaol of York.—*Joseph Wright Clarke*, Skegness, Lincolnshire, licensed victualler: in the Gaol of Lincoln.—*George Clay* the younger, Ledbury, Herefordshire, dealer in coals: in the Gaol of Gloucester.—*Wm. Cooper*, Taunton, near Ashton-under-Lyne, Lancashire, out of business: in the Gaol of Lancaster.—*James Faulkner*, Liverpool, grocer: in the Gaol of Lancaster.—*George Goodwin*, Blackpool, Lancashire, out of business: in the Gaol of Lancaster.—*Isaac Needham*, Liverpool, bookkeeper: in the Gaol of Lancaster.—*Wm. Robson*, Ingleby, Greenhow, near Stokesley, Yorkshire, labourer: in the Gaol of York.—*Ralph Smith*, Preston, Lancashire, out of business: in the Gaol of Lancaster.—*Bartolome Smiadom*, St. Helen's, Lancashire, grocer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, May 22 at 10.

Angelo Molteni, Newcastle-upon-Tyne, looking-glass dealer.—*Andrew Graham*, Newcastle-upon-Tyne, grocer.—*Robert Crothers*, Newcastle-upon-Tyne, travelling bookseller.

At the County Court of Essex, at CHELMSFORD, May 23.
Stephen James Dean, Springfield, carrier.

FRIDAY, MAY 10.

BANKRUPTS.

RICHARD DART and **JOSEPH BROWN**, Bedford-street, Covent-garden, Middlesex, coach-lace manufacturers, May 17 at 11, and June 22 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. May & Sweetland, 14, Queen-sq., Bloomsbury.—Petition filed May 6.

EDWARD PARRATT, Park-village West, Regent's-park, Middlesex, advertising agent, dealer and chapman, May 22 and June 21 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Cunningham, 18, Buckingham-st., Strand.—Petition filed May 8.

JOHN THOMAS HOLLAND, Coventry, Warwickshire, builder, broker, provision dealer, dealer and chapman, May 23 and June 20 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Dewes & Son, Coventry; Motteram & Co., Birmingham.—Petition dated May 4.

WILLIAM HAYHURST, Liverpool, coach proprietor, dealer and chapman, May 22 and June 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Dewhurst, Liverpool.—Petition dated and filed May 2.

MARGARET MILNE, Manchester, grocer and tea dealer, May 31 and June 14 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Makinson, Manchester.—Petition filed May 7.

BUCKLEY ROYLE, Manchester and Ardwick, Lancashire, check and gingham manufacturer, dealer and chapman, May 28 and June 12 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Andrew, Manchester.—Petition filed May 7.

RICHARD WILSON, Kingston-upon-Hull, stonemason and builder, dealer and chapman, May 29 and June 19 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Stamp, Hull.—Petition dated April 3.

MEETINGS.

Thos. Arber, Horseferry-road, Middlesex, builder, May 29 at 11, Court of Bankruptcy, London, ch. ass.—*J. Thomson*, King-street, Camden-town, Middlesex, draper, May 28 at 12, Court of Bankruptcy, London, last ex.—*William Wheatley*, Buxted, Sussex, wheelwright, May 24 at 12, Court of Bankruptcy, London, aud. ac.—*Daniel Smith* and *Frederick Dani. Smith*, Bevor-lane, Hammersmith, Middlesex, wholesale drysalers, May 24 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Aleric Alexander Watts*, Berners-street, Middlesex, printer, June 7 at 11, Court of Bankruptcy, London, aud. ac.—*Edward Dixon*, Gravesend, Kent, oil and colour man, May 31 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Walter Yonge*, Strand, Middlesex, watchmaker, May 31 at 11, Court of Bankruptcy, London, aud. ac.—*Samuel Sutton*, Old Bailey, London, hardwareman, May 31 at half-past 1, Court of Bankruptcy, London, aud. ac.—*James Barr*, New Turn-stile, High Holborn, and Old-road, St. Pancras, Middlesex, builder, May 31 at 11, Court of Bankruptcy, London, aud. ac.—*Thomas Sadler* and *Wm. Edmund Sadler*, Brightlingsea, Essex, sailmakers, May 31 at 11, Court of Bankruptcy, London, aud. ac.—*Jonathan Lucas*, Aldgate High-st., St. Botolph, Aldgate, London, licensed victualler, May 24 at 1, Court of Bankruptcy, London, aud. ac.—*Jas. Eade*, Byworth, Sussex, tanner, May 24 at half-past 1, Court of Bankruptcy, London, aud. ac.: May 31 at 1, fin. div.—*Thomas Williams*, Epsom, Surrey, draper, May 22 at 12, Court of Bankruptcy, London, aud. ac.—*Charles Yorke*, Cambridge, upholsterer, May 30 at half-past 12, Court of Bankruptcy, London, aud. ac.—*George W. Baker*, Prospect-row, Bermondsey, Surrey, builder, May 27 at 11, Court of Bankruptcy, London, aud. ac.: June 3 at 11, div.—*Charles Cove*, Hornechurch, Essex, builder, May 27 at 11, Court of Bankruptcy, London, aud. ac.—*M. Batten*, Kintbury, Berkshire, sheep dealer, May 28 at half-past 11, Court of Bankruptcy, London, aud. ac.—*George Hammond*, Milton next Gravesend, Kent, and Millwall, Poplar, Middlesex, wharfinger, May 31 at 11, Court of Bankruptcy, London, aud. ac.—*James Duffett* the younger, Bristol, redware potter, May 24 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Thomas Williams*, Sandiway, Weaverham, Cheshire, innkeeper, May 22 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Fosberry* and *Edward Ingleby*, Liverpool, merchants, May 28 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Green*, Birkenhead, Cheshire,

auctioneer, May 23 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*John Grundy*, Ramsbottom, Tottington Lower End, Lancashire, woollen manufacturer, May 28 at 12, District Court of Bankruptcy, Manchester, and. ac.—*James Hardcastle*, Manchester, tavern-keeper, May 29 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Francis Paynter*, Pensance, Cornwall, attorney, May 23 at 1, District Court of Bankruptcy, Exeter, and. ac.; June 12 at 11, div.—*Aylford Wise*, Ford-house, Welborough, *William Searle Bantall*, Totnes, and *Robert Farwell*, Totnes, Devonshire, bankers, May 23 at 1, District Court of Bankruptcy, Exeter, and. ac.; June 5 at 11, fin. div.—*Wm. Shaw*, Leeds, Yorkshire, ironfounder, May 28 at 11, District Court of Bankruptcy, Leeds, and. ac.—*Robert Chatham*, Goole, Yorkshire, innkeeper, May 23 at 11, District Court of Bankruptcy, Leeds, and. ac.—*George Shardlow* and *James Bradshaw*, Stone, Staffordshire, shoe manufacturers, May 22 at 12, District Court of Bankruptcy, Birmingham, and. ac.; May 30 at 12, fin. div.—*Robert Savory*, St. Owen, Herefordshire, plumber, June 13 at 11, District Court of Bankruptcy, Birmingham, and. ac.—*Wm. Henry Mills*, Mark-lane, London, wine merchant, May 31 at 11, Court of Bankruptcy, London, div.—*Thos. Atterton*, Rattlenden, Suffolk, malster, May 31 at half-past 11, Court of Bankruptcy, London, div.—*James Fraser*, Brighton, Sussex, draper, May 31 at 1, Court of Bankruptcy, London, div.—*Leif Pulbrook*, Cambridge-place, Hackney-road, Middlesex, grocer, May 31 at 1, Court of Bankruptcy, London, div.—*Samuel Vines*, Crutched-fringe, London, corn factor, May 31 at half-past 1, Court of Bankruptcy, London, div.—*Henry Blackman*, Cranbrook, Kent, grocer, June 1 at 1, Court of Bankruptcy, London, div.—*Thomas Saunders Case*, Walmer, Kent, merchant, June 1 at half-past 1, Court of Bankruptcy, London, div.—*Abraham Wheeler*, Buckingham, cabinet maker, June 1 at half-past 12, Court of Bankruptcy, London, div.—*James Starkey*, Old-st., St. Luke's, Middlesex, carpenter, May 31 at 1, Court of Bankruptcy, London, div.—*John Stevens*, Clement's-lane, Middlesex, builder, May 31 at 12, Court of Bankruptcy, London, div.—*James Sealer*, Newmarket, Cambridgeshire, scrivener, June 1 at 11, Court of Bankruptcy, London, fin. div.—*John Terry Buryon*, Bucklersbury, London, wholesale hardwareman, June 1 at 1, Court of Bankruptcy, London, div.—*James Hardcastle*, Manchester, tavern-keeper, June 5 at 12, District Court of Bankruptcy, Manchester, div.—*M. Chaceed*, Leeds, Yorkshire, ironfounder, May 31 at 11, District Court of Bankruptcy, Leeds, div.—*Thomas Don*, Swanton Iron-works, Yorkshire, May 31 at 11, District Court of Bankruptcy, Leeds, div.—*Thomas Rendel*, Halifax, Yorkshire, innkeeper, May 31 at 11, District Court of Bankruptcy, Leeds, div.—*Geo. Wm. Halford*, Doncaster, Yorkshire, lime-burner, June 1 at 10, District Court of Bankruptcy, Sheffield, div.—*Wm. Clarke*, Sheffield, Yorkshire, builder, June 1 at 10, District Court of Bankruptcy, Sheffield, div.—*Joseph Garrison*, Helporby, Yorkshire, grocer, May 31 at 11, District Court of Bankruptcy, Leeds, div.—*John Seaton*, Frickley-cum-Clayton, Yorkshire, farmer, June 1 at 10, District Court of Bankruptcy, Sheffield, div.—*Henry Smith*, Doncaster, Yorkshire, British wine manufacturer, June 1 at 10, District Court of Bankruptcy, Sheffield, div.—*Daniel Haigh*, Linthwaite, Almondbury, and *Joseph Haigh*, Skitthwaite, Huddersfield, Yorkshire, cloth manufacturers, May 31 at 11, District Court of Bankruptcy, Leeds, div.—*James Thompson*, Leeds, Yorkshire, tea dealer, May 23 at 11, District Court of Bankruptcy, Leeds, and. ac.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Barton Balcombe, Cannon-st., London, sharobroker, May 31 at 11, Court of Bankruptcy, London.—*George Fred. Gardner*, Rayleigh, Essex, grocer, May 31 at half-past 1, Court of Bankruptcy, London.—*Charles Christie*, Vauxhall-walk, and Broad-st., Lambeth, Surrey, timber merchant, May 31 at half-past 12, Court of Bankruptcy, London.—*William Brown*, Wood-st., London, and Providence House, East-st., Cambridge-heath, Bethnal-green, Middlesex, elastic hat-band manufacturer, June 3 at 12, Court of Bankruptcy, London.—*Richard Green*, Brighton, Sussex, ironmonger, June 1 at 12, Court of Bankruptcy, London.—*James Harbridge*, Lisle, Oxfordshire, miller, June 1 at 12, Court of Bankruptcy, London.—*Nicholas Meuld*, Westwich, Kent, licensed vic-

tualler, June 1 at 1, Court of Bankruptcy, London.—*John Angus*, Berwick-upon-Tweed, dealer in glass, June 6 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Croome*, Bristol, manufacturing engineer, June 10 at 11, District Court of Bankruptcy, Bristol.—*James Sawyer*, Boreham, Wiltshire, miller, June 12 at 11, District Court of Bankruptcy, Bristol.—*Jabez Hunt*, Bath, Somersetshire, victualler, June 5 at 12, District Court of Bankruptcy, Bristol.

To be granted, unless an Appeal be duly entered.

John Tubey, Willow-walk, Bermondsey, Surrey, builder.—*John Webster*, Southgate, Middlesex, dealer in mining shares.—*Christopher Joseph Knapping*, Eastwood, Essex, cattle dealer.—*John Vevera*, Cheapside, London, woollen warehouseman.—*Edm. Smallwood*, Crigglestone, Sandal Magna, Yorkshire, schoolmaster.—*James Crocker*, Aldergate-street, London, manager of an hotel.—*John James Weston*, Cranbrook, Kent, cattle dealer.—*Cornelius Brey*, Landport, Portsmouth, Southampton, grocer.—*Abraham Wheeler*, Buckingham, basket maker.—*Henry Watts*, Upper Bryanstone-street, Bryanstone-square, Middlesex, corn dealer.—*John Murphey*, Pendleton, near Manchester, cotton spinner.—*Ed. Cornish Hawkins*, Bath, Somersetshire, beer retailer.—*Thomas Allison*, Liverpool, slater.—*Charles Sanderson*, Sheffield, Yorkshire, iron merchant.—*Daniel Furniss*, Sheffield, Yorkshire, beer-house keeper.—*David Blackburn*, Thomas Piddie, David Crabtree, and *William Blackburn*, Halifax, Yorkshire, cotton spinners.

FIAT ANNULLED.

Evam Rice, Dudley, Worcestershire, hatter.

PARTNERSHIP DISSOLVED.

William Stone Sutton and *William James Dunn*, Birmingham, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Ninian Fergusson & Co., Edinburgh, carriers.—*Robert Summers & Son*, Hamilton, builders.—*James Nimmo*, Edinburgh, printer.—*J. & D. Connal*, Blackford, Perthshire, manufacturers.—*Alex. McKechnie*, Glasgow, mercantile agent.—*William Russell*, Tossie, near Forres, coach contractor.—*James Lyell*, Dundee, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Easter Downing, Ipswich, Suffolk, cabinet maker, May 24 at 10, County Court of Suffolk, at Ipswich.—*William Henry Whittle*, Ipswich, Suffolk, carver and gilder, May 24 at 10, County Court of Suffolk, at Ipswich.—*William Wilkinson*, Ipswich, Suffolk, ship agent, May 24 at 10, County Court of Suffolk, at Ipswich.—*Edward George James Staller*, Tithing of Street, Southampton, harness maker, May 31 at half-past 11, County Court of Hampshire, at Petersfield.—*William Brereton*, Wybunbury, Cheshire, farmer, May 30 at 11, County Court of Cheshire, at Nantwich.—*John Evans*, Cirencester, Gloucestershire, dairyman, May 23 at 10, County Court of Gloucestershire, at Cirencester.—*William Cooper*, Milton next Sittingbourne, Kent, hairdresser, May 22 at 10, County Court of Kent, at Sittingbourne.—*Henry Langdon*, Ryde, Isle of Wight, Southampton, carpenter, May 27 at 10, County Court of Hampshire, at Newport.—*John Jones*, Bedford, Oxfordshire, licensed brewer, May 31 at half-past 10, County Court of Oxfordshire, at Witney.—*Joseph Miller*, St. Lawrence, near Ramsgate, Kent, common carrier, May 23 at 10, County Court of Kent, at Ramsgate.—*William Southcombe*, Bristol, beer retailer, June 26 at 11, County Court of Gloucestershire, at Bristol.—*John Medlam*, Bristol, beer retailer, June 19 at 11, County Court of Gloucestershire, at Bristol.—*John Jenkins*, Bristol, tailor, June 5 at 11, County Court of Gloucestershire, at Bristol.—*William South*, Boston, Lincolnshire, common brewer, June 4 at 10, County Court of Lincolnshire, at Boston.—*Jane Thwaites*, widow, Cockermouth, Brigham, Cumberland, innkeeper, May 30 at half-past 9, County Court of Cumberland, at Cockermouth.—*John Leggett*, Charnfield, Suffolk, bricklayer, May 23 at 1, County Court of Suffolk, at Woodbridge.—*John Perry Beeston-cum-Bittering*, Norfolk, baker, June 10 at 9, County Court of Norfolk, at East Dereham.—*Robert Francis East Radham*, Norfolk, baker, June 8 at 2, County Court of Norfolk, at Little Walsingham.—*Robert John Simpson*, Thetford,

Norfolk, veterinary surgeon, May 28 at 2, County Court of Norfolk, at Thetford.—*Edmeser Longhurst*, Maidenhead, Berkshire, carpenter, June 3 at 11, County Court of Berkshire, at Windsor.—*John Cumming*, Maidenhead, Berkshire, upholsterer, June 3 at 11, County Court of Berkshire, at Windsor.—*John Croft*, Wangford, Suffolk, innkeeper, May 22 at 2, County Court of Suffolk, at Halesworth.—*Robert Rensdale*, Ipswich, Suffolk, beer-house keeper, May 24 at 10, County Court of Suffolk, at Ipswich.—*Michael Richard Hannell*, Manchester, tailor, May 17 at 1, County Court of Lancashire, at Manchester.—*Thomas Stripling*, Ipswich, Suffolk, coach-maker, May 24 at 10, County Court of Suffolk, at Ipswich.—*John Beckett*, Tattenhall, Cheshire, land surveyor, May 16 at 10, County Court of Cheshire, at Chester.—*William Beauland Spencer*, Halifax, Yorkshire, woollsorter, May 24 at 10, County Court of Yorkshire, at Halifax.—*John Reese* the elder, Ratcliffe, Suffolk, out of business, May 20 at 10, County Court of Suffolk, at Stowmarket.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, on follows, to be examined and dealt with according to the Statute:—

May 24 at 11, before the CHIEF COMMISSIONER.

A. Joyce, High-street, Bow, Middlesex, saddler.—*Francis Woods*, Ludgate-street, Ludgate-hill, London, servant.—*Jas. Hilton*, Basinghall-street, London, commission agent.

May 24 at 10, before Mr. Commissioner LAW.

Thos. James Brown, Acton-street North, Kingsland, Middlesex, shoemaker.—*Wm. A. Johnson*, Prebend-street, Camden-town, Middlesex, manufacturing goldsmith.—*Haynes W. Samuel Sharnan*, Mount-street, Grosvenor-square, Middlesex, upholsterer.

May 24 at 11, before Mr. Commissioner PHILLIPS.

Henry Moss, Heath-cottage, Bexley-heath, Kent, market gardener.

May 27 at 11, before Mr. Commissioner PHILLIPS.

John Brown, Oxford-street, New-road, Whitechapel, Middlesex, porter.

May 24 at 11, before Mr. Commissioner HARRIS.

Chas. B. Crisp, Holly-street North, Middlesex, attorney's clerk.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 24 at 11, before the CHIEF COMMISSIONER.

John Gibson, Maria-place, Walworth, Surrey, compositor.—*E. P. Broughton*, Stonedon-villa, Stonedon, near Brentwood, Essex, out of business.—*James Balls*, Chandos-street, Covent-garden, Middlesex, licensed victualler.—*John Cooper*, Hanover-street, Hanover-square, and Wheeler-place, Haverstock-hill, Hampstead-road, Middlesex, plumber.—*Thomas White*, Church-street, Greenwich, Kent, cheesemonger.—*J. Robertson*, Church-street, Shoreditch, Middlesex, hairdresser.

May 24 at 10, before Mr. Commissioner LAW.

Richard Gravel, York-road, Lambeth, Surrey, printer.—*Henry Caley*, Lee-terrace, Kent, out of business.—*Richard Rastall*, York-road, Lambeth, Surrey, attorney's clerk.—*R. H. Mayne*, Great Cambridge-street, Hackney-road, Middlesex, baker.—*Jas. Poupert* the younger, Walham-green, Middlesex, agent to the Sewage Manure Company.—*Alfred Bradley Lowick*, Red Lion-street, Holborn, Middlesex, out of business.

May 24 at 11, before Mr. Commissioner PHILLIPS.

Simon Marks, Middlesex-street, Whitechapel, London, dealer in brushes.—*Wm. Watson*, Little Chapel-street, Westminster, Middlesex, carrier.—*W. Brown*, King-square, Goswell-road, St. Luke's, Middlesex, manufacturing chemist.

May 25 at 11, before the CHIEF COMMISSIONER.

Henry Cole, Cranbourne-street, Leicester-square, Middlesex, seedsman.

May 25 at 10, before Mr. Commissioner LAW.

Wm. Bates, Caroline-street, Bedford-square, Middlesex,

musician.—*George Bellbrough*, Quaker-street, Spitalfields, Middlesex, dealer in coals.

May 25 at 11, before Mr. Commissioner PHILLIPS.

Frederick Wilhelm Fleck, Belgrave-terrace, Queen's-road, Dalston, Middlesex, baker.

May 27 at 11, before the CHIEF COMMISSIONER.

Charles Johnson, Rope-makers-street, Moorfields, London, out of business.

May 24 at 11, before Mr. Commissioner PHILLIPS.

W. G. Barry, Meard's-court, Soho, Middlesex, appraiser.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, May 24 at 11.

Richard Grimshaw, Salford, wheelwright.—*P. Bedford*, Liverpool, potato dealer.—*E. R. Ashton*, Prescott, out of business.—*Isaac Needham*, Liverpool, salesman.—*William Cooper*, Taunton, near Ashton-under-Lyne, out of business.—*James Paulker*, Liverpool, grocer.—*Joseph Hoggarth*, Lancaster, labourer.—*S. Day*, Manchester, working outler.—*Thomas Hilton*, Hulme, Manchester, out of business.—*John Young*, Ulverston, Hornsea hawker.

At the County Court of Northumberland, at MORPETH, May 31 at half-past 10.

Charles W. Roberts, Ellerthorp-street, Poplar New-town, Middlesex, shipowner.—*Wm. Hedley*, Rothbury, shipowner.

At the County Court of Yorkshire, at YORK CASTLE, May 25 at 10.

John Trott, Stainton Dale, near Scarborough, farmer's labourer.—*Thos. Rayner*, West Barton, near Leyburn, collier.—*John Firth*, Shelmanthorpe, near Huddersfield, out of business.—*John H. Charnock*, York, land agent.—*Robert T. Forston*, Ripon, tailor.—*Wm. Graham*, Richmond, out of business.—*John Haley*, Hunslet, near Leeds, bricklayer.—*Geo. Metcalfe* the elder, Hutton Cranswick, near Duffield, wheelwright.—*Saml. Dyson*, New-road-side, near Keighley, woolcomber.—*Charles Dearman*, Gooles, shoemaker.—*Robert Goodill*, Whitby, mariner.—*Wm. Walker*, Bedale, joiner.—*John Scott*, Bradford, out of business.—*R. Horrofall*, Heptonstall, near Halifax, butcher.—*William Harris*, Leeds, out of business.—*John Holdsworth*, Halifax, card maker.—*William Howarth*, Hatfield, near Doncaster, husbandman.—*Wm. D. Bramwell*, Armitage-bridge, near Huddersfield, grocer.—*W. Ridley*, Linthwaite, near Huddersfield, railway contractor.—*Wm. Sanderson*, York, out of business.—*Robt. Slater*, York, out of business.

At the County Court of Gloucestershire, at BRISTOL, May 29 at 11.

Jane Sturgis, Bristol, in no trade.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—*Samuel Sharman*, of Liverpool; *John Henry Square*, of Kingsbridge, Devonshire; *William Woodland* the younger, of Taunton, Somersetshire; *Richard Duke*, of Liverpool.

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MAY 18, 1850.

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LONDON, MAY 18, 1850.

WE have now before us Mr. Turner's bill for diminishing the delay and expense of proceedings in the Court of Chancery in England; and we have not frequently had to consider a law bill with which we could find so little fault. The principal objects of the bill are three: to provide for obtaining the opinion of the Court on questions of construction, by means of special cases; to provide for taking accounts of the debts due from the estates of testators and intestates, without a general administration; and to bring all exceptions to pleadings before the Court at once. There are other objects, but they are of minor importance.

The enabling clause, with respect to special cases, is proposed in the following words:—

"That it shall be lawful for persons interested, or claiming to be interested, in any question cognisable in the said court, as to the construction of any act of Parliament, will, deed, or other instrument in writing, or any article, clause, matter, or thing therein contained, or as to the title or evidence of title to any real or personal estate contracted to be sold or otherwise dealt with, or as to the parties to or the form of any deed or instrument for carrying any such contract into effect, or as to any other matter falling within the original jurisdiction of the said Court as a Court of equity, or made subject to the jurisdiction or authority of the said Court by any statute; not being one of the statutes relating to bankrupts, and including among such persons all lunatics, married women, and infants, in the manner and under the restrictions hereinafter contained, to concur in stating such question in the form of a special case for the opinion of the said

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S

Court; and it shall also be lawful for all executors, administrators, and trustees to concur in such case."

This is followed by seventeen clauses, intended to supply the machinery for working out the system. We collect from them that the Court will be authorised to give its opinion on the construction of the case presented to it, without first requiring preliminary accounts to ascertain whether there is any estate on which such declaration may operate; and without inquiries as to parties, if the parties to the case are willing to take the opinion of the Court without such inquiries. For by the 14th and 15th clauses it is proposed to be enacted, "That it shall be lawful for the said Court, upon the hearing of any such special case as aforesaid, to determine the questions raised therein, or any of them, and by decree to declare its opinion thereon, and, so far as the case shall admit of the same, upon the right involved therein, without proceeding to administer any relief consequent upon such declaration; and that every such declaration of the said Court contained in any such decree shall have the same force and effect as such declaration would have had, and shall be binding to the same extent as such declaration would have been, if contained in a decree made in a suit between the same parties instituted by bill: provided always, that it shall be lawful for the said Court, if it shall see fit so to do, before proceeding to make such decree as aforesaid, to send any case or cases for the opinion of any of her Majesty's Courts of common law, reserving the consideration of all further directions and of the costs, and to make such decree as aforesaid upon such further directions: provided also, that if, upon the hearing of such special case as aforesaid, the Court shall be of opinion that the questions raised thereby, or any of them, cannot properly be decided upon such case, the said Court



may refuse to decide the same." "That every executor, administrator, trustee, or other person making any payment or doing any act in conformity with the declaration contained in any decree made upon a special case, shall in all respects be as fully and effectually protected and indemnified by such declaration as if such payment had been made or act done under or in pursuance of the express order of the said Court made in a suit between the same parties instituted by bill, save only as to any rights or claims of any person in respect of matters not determined by such declaration."

The reason why the Court now requires preliminary accounts in many cases, where the parties would desire to have the construction declared first, is, that it will not make a mere declaration of right without a decree for relief, and will not waste its time, and, as it is called, stultify itself, by directing relief, when there may be nothing on which the relief can operate. But if, by act of Parliament, it is authorised to make a declaration of right without relief, the reason for the preliminary inquiries ceasing, it may be assumed that the practice will cease also. And as, by the 15th section, the declaration is only to be an indemnity as far as a decree between the same persons would be so, saving all other rights, it would seem, that provided the parties to the case are satisfied that all parties interested are before the Court, or are willing to take the declaration quantum valeat, as between those who are before the Court, the Court is not intended to trouble itself with any class inquiries not required by the parties.

In this branch of the bill there is an omission, which we conceive it would be greatly to the advantage of suitors to have supplied. There is no provision to enable the Court to dispense with having before it all the persons constituting a class, where the interests of that class are required to be represented. Now, one of the greatest inconveniences felt in bringing cases of construction to a termination is, the necessity of having all the members of a class before the Court—a thing in itself perfectly unnecessary; for surely, if two or three of a class are before the Court, the interests of the whole class are likely to be just as fully supported as if all the persons constituting it were parties. We venture to suggest to the learned gentlemen who have the conduct of this bill, the introduction of a clause authorising the Court, in all cases where classes of persons are requisite parties, to make a declaration binding on the whole class, if it shall be satisfied that some members of the class are before it, and that such members have no adverse interest to the rest.

Court Papers.

EQUITY SITTINGS, TRINITY TERM, 1850.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

Wednesday.. May 22	Appeal Motions and Appeals.
Thursday	(Petition-day).—Petitions.
Friday	
Saturday	
Monday	} Appeals.
Tuesday	
Wednesday	

Thursday	30	Appeal Motions and Appeals.
Friday	31	(Petition-day).—Unopposed Petitions and Appeals.
Saturday	June 1	
Monday	3	} Appeals.
Tuesday	4	
Wednesday	5	
Thursday	6	Appeal Motions and Appeals.
Friday	7	(Petition-day).—Unopposed Petitions and Appeals.
Saturday	8	
Monday	10	} Appeals.
Tuesday	11	
Wednesday	12	Appeal Motions and Appeals.

N. B.—The days his Lordship hears Appeals in the House of Lords excepted.

Vice-Chancellors' Courts.

Before the VICE-CHANCELLOR OF ENGLAND, at Westminster.

Wednesday .. <i>May</i> 22	Motions.
Thursday 23	Petition-day.
Friday 24	{ Short Causes, Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday 25	
Monday 27	
Tuesday 28	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday 29	
Thursday 30	Motions.
Friday 31	{ (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday <i>June</i> 1	
Monday 3	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday 4	
Wednesday 5	
Thursday 6	Motions.
Friday 7	{ (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday 8	
Monday 10	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday 11	
Wednesday 12	Motions.

Before VICE-CHANCELLOR KNIGHT BRUCE, at Westminster.

Wednesday .. May	22	Motions.
Thursday	23	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	24	
Saturday	25	Short Causes, Petitions, and Causes.
Monday	27	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	28	
Wednesday	29	Bankrupt Petitions and Ditto.
Thursday	30	Motions.
Friday	31	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday June	1	
Saturday	3	Short Causes, Petitions, and Ditto.
Monday	3	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	4	
Wednesday	5	Bankrupt Petitions and Ditto.
Thursday	6	Motions.
Friday	7	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	8	
Monday	10	Short Causes, Petitions, and Ditto.
Tuesday	11	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	12	
Wednesday	12	Motions.

Before VICE-CHANCELLOR WIGRAM, at Westminster.

Wednesday .. May 22	Motions and Causes.	
Thursday	23	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	24	
Saturday	25	} Short Causes, Petitions, (unopposed first), and Causes.
Monday	27	
Tuesday	28	} Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	29	
Thursday	30	Motions and Ditto.

Friday	31	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	June 1	Short Causes, Petitions, (unopposed first), and Causes.
Monday	3	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	4	
Wednesday	5	
Thursday	6	Motions and Ditto.
Friday	7	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	8	Short Causes, Petitions, (unopposed first), and Causes.
Monday	10	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	11	
Wednesday	12	Motions and Ditto.

COMMON-LAW SITTINGS, IN AND AFTER TRINITY TERM, 1850.

Court of Queen's Bench.

MIDDLESEX.—In Term.

1st sitting .. Thursday, May 23, and following days, at 11.
2nd sitting.. Monday..... 27, and subsequent days, at 11.
3rd sitting.. Monday...June 10, at half-past 9 precisely (for undefended causes only).

After Term.—Thursday, June 13, at half-past 9.

A list of causes will be printed immediately; but on the uncontradicted statement of either side that a cause is too long to be tried in term, it will be withdrawn from such list, and a small number of completed and new causes will be put into the list day by day, in their usual order.

LONDON.—In Term.

Sitting at 10, on Tuesday, June 11, for undefended causes, and such causes as are tried in Middlesex after term, with judgment of the term.

After Term.—Friday, June 14, to adjourn.

N.B.—The hours of attendance at the Marshal's Office of this Court will in future be from 11 till 5 during term and sittings, instead of from 11 to 2, and 6 to 8.

Court of Common Pleas.

In Term.

MIDDLESEX.	LONDON.
Friday	May 24
Friday	31
Friday	May 29
Friday	Wednesday
Friday	June 5

After Term.

Thursday	June 13
Friday	June 14

The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Friday, the 14th June, in London, no causes will be tried, but the Court will adjourn to a future day.

N.B.—The hours of attendance at the Marshal's Office during term, and sittings after term, will in future be from 1 to 5.

Exchequer of Pleas.

In Term.

MIDDLESEX.	LONDON.
1st sitting, Friday ..	May 24
2nd sitting, Thursday ..	30
3rd sitting, Thursday, June 6	
1st sitting, Wednesday ..	May 29
2nd sitting, Wednesday ..	June 5

After Term.

Thursday	June 13
Friday	June 14

(To adjourn only).

The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment, from day to day, until the causes entered for the respective Middlesex sittings are disposed of.

The Court will sit, during and after term, at ten o'clock.

London Gazette.

TUESDAY, MAY 14.

BANKRUPTS.

SAMUEL LOCK, Stoke D'Auberton, Surrey, auctioneer, May 23 and June 20 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Blake, 2, Serjeants'-inn, Fleet-street.—Petition filed April 9.

GEORGE HEALEY WARD and BAILEY GRIFFITH, Bear-alley, Farringdon-st., London, printers, May 20 and June 27 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Creasy, 10, John-street, Oxford-street.—Petition dated May 10.

WILLIAM FARR, Broadway, St. Ann, Blackfriars, London, beer-shop keeper, dealer and chapman, May 20 at 2, and June 20 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Devonshire, 29, Austin-friars, London.—Petition dated April 29.

THOMAS SMEETON, Ipswich, Suffolk, tailor and hatter, May 24 and June 28 at 2, Court of Bankruptcy, London: Off. Ass. Cannon; Sols. Lawrence, Ipswich; Cree & Son, 3, Verulam-buildings, Gray's-inn.—Petition dated May 4.

GEORGE COOPER, Northampton, hatter, dealer and chapman, May 28 at 2, and June 25 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Pain & Hathaway, 5, Grosvenor-st., City.—Petition filed May 11.

EDWIN JACKSON GILL, (described in the petition as Edward Jackson Gill), Gloucester, auctioneer, general dealer, trader, dealer and chapman, May 31 at 2, and June 25 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Rogerson, 50, Lincoln's-inn-fields.—Petition filed May 11.

AGNES ASHCROFT, widow, Great George's-square, Liverpool, Lancashire, and Stanhope-terrace, Gloucester-gate, Middlesex, shipowner, May 28 at half-past 12, and June 27 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Parnell & Tanqueray Williams, 34, New Broad-st.—Petition dated May 7.

WILLIAM BREED, Amersham-common, near Amersham, Buckinghamshire, dealer in sheep, dealer and chapman, May 25 at 11, and July 6 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Scott & Tabourdin, 25, Lincoln's-inn-fields.—Petition filed May 6.

WILLIAM HENRY ETHELL, Birmingham, saddler, dealer and chapman, May 30 and June 25 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Smith & James, Birmingham.—Petition dated May 9.

JOHN LAWRENCE and HENRY DIXON, Birmingham, military ornament and German silver spoon manufacturers, dealers and chapmen, May 23 and June 20 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Underhill, Birmingham.—Petition dated May 9.

JOHN RYDER, Liverpool, victualler, May 28 and June 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cannove; Sols. Evans & Son, Liverpool.—Petition dated May 6.

WILLIAM PILE and JOHN PILE, Monk Wearmouth, Durham, shipbuilders, (trading under the style or firm of W. & J. Pile), May 29 at 11, and July 2 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Cooper, Sunderland; Loveland & Tweed, 64, Lincoln's-inn-fields, London.—Petition filed May 2.

MEETINGS.

John Balda, Beaumont-street, St. Marylebone, Middlesex, coachmaker, May 31 at 11, Court of Bankruptcy, London, last ex.—George Messenger, Uxbridge, Middlesex, draper, June 6 at half-past 2, Court of Bankruptcy, London, last ex.—John Simpson, Tadcaster, Yorkshire, corn dealer, May 24 at 11, District Court of Bankruptcy, Leeds, and. ac.—Henry Smith, Doncaster, Yorkshire, British wine manufacturer, May 25 at 10, District Court of Bankruptcy, Sheffield, and. ac.—William Clarke, Sheffield, Yorkshire, builder, May 25 at 10, District Court of Bankruptcy, Sheffield, and. ac.—George William Hallifax, Hexthorpe-with-Balby, Doncaster, Yorkshire, limeburner, May 25 at 10, District Court of Bankruptcy, Sheffield, and. ac.—John Seaton, Winkhouse, Frickley-cum-Clayton, Yorkshire, farmer, May 25 at 10, District Court of Bankruptcy, Sheffield, and. ac.—Job Bradshaw, St.

Alban's, Hertfordshire, draper, June 4 at 12, Court of Bankruptcy, London, fin. div.—*Joshua Metcalfe*, New Malton, Yorkshire, corn merchant, June 4 at 11, District Court of Bankruptcy, Leeds, first and fin. div.—*W. Green*, Birkenhead, Cheshire, auctioneer, June 4 at 11, District Court of Bankruptcy, Liverpool, div.—*William Fosberry* and *Edward Inglesby*, Liverpool, merchants, June 4 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Walter Yonge, Strand, Middlesex, watchmaker, June 6 at half-past 11, Court of Bankruptcy, London.—*John Bower*, Milton-street, Dorset-square, St. Marylebone, Middlesex, timber merchant, June 6 at 12, Court of Bankruptcy, London.—*Thomas Croome Danacey*, Stonehouse, Gloucestershire, shoemaker, June 6 at 11, District Court of Bankruptcy, Bristol.—*John Young*, Manby, Lincolnshire, innkeeper, June 5 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*John Dale Woodcock*, Leeds, Yorkshire, calenderer, June 4 at 12, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

William Livermore, Oxford-street, Middlesex.—*Thomas Sadler* and *William Edmund Sadler*, Brightingsea, Essex, sailmakers.—*William Edmund Smith*, Plymouth, Devonshire, shipwright.—*Benjamin Asford*, Devonport, Devonshire, victualler.—*Francis Kemp*, Colchester, Essex, carpenter.—*Hen. Smith* the younger, South Ockendon, Essex, farmer.—*Charles Thomas Glover*, Manchester, smallware dealer.—*George Matthews*, Monmouth, pianoforte and music seller.—*Samuel Wroth Anthony*, Everton, Lancashire, shipowner.

SCOTCH SEQUESTRATIONS.

James Hutchison, jun., Glasgow, umbrella manufacturer.—*Wm. Ferrie*, Kilmougar, Fifeshire, cattle dealer.—*Dugald MacLachlan*, deceased, sheriff-substitute of the Long Island, Inverness-shire.—*Peter Hume*, Costerton Mains, Edinburghshire, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Frederick Kynaston, St. Martin's-le-Grand, London, not in any trade, May 28 at 2, County Court of Carmarthenshire, at Carmarthen.—*John Minter* the younger, Staplegate, Canterbury, Kent, tobacconist, May 20 at 10, County Court of Kent, at Canterbury.—*Edward Bird*, Sneinton, Nottinghamshire, millwright, June 6 at 9, County Court of Nottinghamshire, at Nottingham.—*Thomas Kirk*, Nottingham, lace manufacturer, June 6 at 9, County Court of Nottinghamshire, at Nottingham.—*John King*, Kidlington, near Gosford, Oxfordshire, farrier, May 30 at 11, County Court of Oxfordshire, at Woodstock.—*William Brocklesby*, Summertown, near Oxford, turner, May 28 at 2, County Court of Oxfordshire, at Oxford.—*Joseph Seer* the younger, Nottingham, butcher, June 6 at 9, County Court of Nottinghamshire, at Nottingham.—*Thomas Lamprey Clements*, Bristol, in no business, June 5 at 11, County Court of Gloucestershire, at Bristol.—*John Till*, Wotton-under-Edge, Gloucestershire, licensed victualler, May 27 at 10, County Court of Gloucestershire, at Dursley.—*Moses Holt*, Bury, Lancashire, tailor, June 5 at 12, County Court of Lancashire, at Bury.—*John Dixon*, Bradford, Yorkshire, tailor, June 29 at 11, County Court of Yorkshire, at Bradford.—*John Evans*, Aberystwith, Cardiganshire, innkeeper, May 30 at 10, County Court of Cardiganshire, at Aberystwith.—*Joseph Garner*, Kirkbride, Cumberland, grocer, May 29 at 2, County Court of Cumberland, at Wigton.—*Henry Knevet Bransby*, Southwold, Suffolk, schoolmaster, May 22 at 2, County Court of Suffolk, at Halesworth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 24 at 11, before Mr. Commissioner PHILLIPS.

William Pithouse, Lower Deptford-road, near China-hall, Rotherhithe, Surrey, market gardener.

May 28 at 11, before Mr. Commissioner HARRIS.

Thomas Saphin, Great Marylebone-street, Portland-place, Middlesex, clockmaker.—*Abraham Parkinson*, Fenchurch-street, London, tailor.—*Charles Cornell*, East-street, Manchester-square, Middlesex, grocer.—*Joseph George Robt. N. Thwaites*, Gwyn-place, Hackney-road, Middlesex, appraiser.—*Alfred Dutton*, Warren-street, Fitzroy-square, Middlesex, out of business.

May 29 at 11, before the CHIEF COMMISSIONER.

Linford Horne, Palace New-road, Westminster-bridge-rd, Lambeth, Surrey, tailor.—*H. J. Cornley*, Wells-street, Oxford-street, Marylebone, Middlesex, shoemaker.—*J. Cook*, North-street, Edgeware-road, Middlesex, nurseryman.

May 30 at 11, before the CHIEF COMMISSIONER.

Eliza Inglis, Strand, and Wellington-street, Strand, Middlesex, coffee-house keeper.

Saturday, May 11.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

George Butcher, High-street, Newington Butts, Surrey, grocer, No. 50,713 T.; *Wm. Davies*, assignee.—*Robt. Franklin*, Green-street, Paddington, Middlesex, cab proprietor, No. 61,439 T.; *D. Bosworth*, assignee.—*James Todd*, Alresvenny, Monmouthshire, land surveyor, No. 69,988 C.; *J. G. Price*, assignee.—*James Bishop*, Ramsey, Huntingdonshire, labourer, No. 70,551 C.; *Thomas Phillips*, assignee.—*Robert Herdman*, Chester-le-street, Durham, linen-draper, No. 71,741 C.; *Thomas Richardson* and *James Coxon*, assignees.—*Chas. F. Turner*, Devonport, Devonshire, purser in the Navy, No. 71,914 C.; *John Symons*, assignee.—*Jas. Cammille*, Chesterfield, Derbyshire, publican, No. 72,057 C.; *Robert Tennant* and *Edward Mugliston*, assignees.—*C. Miller*, Richmond, Yorkshire, auctioneer, No. 72,159 C.; *James H. M'George*, assignee.—*John Talbot*, Dewsbury, Yorkshire, carpet manufacturer, No. 72,273 C.; *R. Bell*, assignee.—*W. Heslop*, Mirfield, near Dewsbury, Yorkshire, joiner, No. 72,316 C.; *Thomas Leadbetter*, assignee.—*George Lamb*, Leeds, Yorkshire, butcher, No. 72,318 C.; *William Holbworth*, assignee.

Saturday, May 11.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Samuel Dowling, Shaftesbury-terrace, Piccadilly, Middlesex, commission-agent: in the Debtors Prison for London and Middlesex.—*F. West*, Hughendon, near High Wycombe, Buckinghamshire, bricklayer: in the Debtors Prison for London and Middlesex.—*Geo. Spry*, Liverpool-street, Battle-bridge, Middlesex, surgeon: in the Queen's Prison.—*W. A. Recker*, Forest-row, Dalston, Middlesex, commission-agent: in the Queen's Prison.—*Shepherd Simpson*, North Audley-street, Hanover-square, Middlesex, shopman to a cheesemonger: in the Debtors Prison for London and Middlesex.—*Alex. Henry Ring*, Frederick-st., Gray's-inn-road, Middlesex, boat builder: in the Debtors Prison for London and Middlesex.—*J. O'Halloran*, Tavistock-street, Covent-garden, Middlesex, attorney's clerk: in the Debtors Prison for London and Middlesex.—*Geo. Crouch*, Glengall-grove, Old Kent-road, Surrey, parcel booking-office keeper: in the Debtors Prison for London and Middlesex.—*John Oliver*, Remington-street, City-road, Middlesex, foreman to an upholsterer: in the Debtors Prison for London and Middlesex.—*Thomas Smith*, Cromer-st., Brunswick-square, Middlesex, retailer of beer: in the Debtors Prison for London and Middlesex.—*John Robertson*, Princes-st., Whitechapel, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*George Hoare*, President-st., Goswell-street, Middlesex, egg merchant: in the Queen's Prison.—*Arthur Allen* the younger, King William-street, Strand, Middlesex, chemist: in the Queen's Prison.—*Emmanuel Grendona*, Albany-street and Frederick-street, Regent's-park, Middlesex, cook: in the Debtors Prison for London and Middlesex.—*Mich. Solomon*, Middle Queen's-buildings, Brompton, Middlesex, salesman to a potato dealer: in the Debtors Prison for London and Middlesex.

(On Creditors' Petitions).

Mary Ann Tutterhall, spinster, Brentford-lane, Acton.

Middlesex: in the Queen's Prison.—*Charlotte Montague Tattershall*, widow, Brentford-lane, Acton, Middlesex: in the Queen's Prison.

(On their own Petitions).

Edward Richard Ashton, Prescott, Lancashire, merchant: in the Gaol of Lancaster.—*Wm. Harrison*, Bonnersfield, Monk Wearmouth, Sunderland-near-the-Sea, Durham, beer-house keeper: in the Gaol of Durham.—*Joseph Heggarth*, Lancaster, labourer: in the Gaol of Lancaster.—*Thomas Hilten*, Hulme, Manchester, plate-glass dealer: in the Gaol of Lancaster.—*Henry Mallett*, Upton, near Wiveliscombe, Somersetshire, farmer: in the Gaol of Wilton.—*Thomas Philip Wilson*, Kidderminster, Worcesterhire, baker: in the Gaol of Worcester.—*Richard Hatton Belcher*, Newbridge, near Witney, Oxfordshire, miller: in the Gaol of Oxford.—*Caroline Mann*, Charlton, Dover, Kent, out of business: in the Gaol of Dover.—*Patrick Kelly*, Liverpool, blacksmith: in the Gaol of Lancaster.—*John Mortimer*, Cleckheaton, near Leeds, Yorkshire, labourer: in the Gaol of York.—*Mary Evison*, widow, Sheffield, Yorkshire, innkeeper: in the Gaol of Sheffield.—*Thomas Harper* the elder, Huntley, Gloucestershire, carpenter: in the Gaol of Gloucester.—*J. Sterry*, Worthing, Sussex, farmer: in the Gaol of Lewes.—*Robert Simpson*, Sheffield, Yorkshire, carrier: in the Gaol of Sheffield.—*William Thomas*, Chipping Barnet, Hertfordshire, commercial traveller: in the Gaol of Hertford.—*Oliver Vesile*, Clawton, Devonshire, butcher: in the Gaol of St. Thomas the Apostle.—*Thomas Gwyther*, Monmouth, coach builder: in the Gaol of Monmouth.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 28 at 11, before Mr. Commissioner HARRIS.

Thomas Jackson the younger, Newman-st., Oxford-street, Middlesex, out of business.—*Randal M'Murtry*, Fore-street, Cripplegate, London, cheesemonger.—*Joseph Bruce*, Sydney-street, Brompton, Middlesex, out of business.—*Geo. Gubby*, Bagnigge-wells-road, Middlesex, commission-agent for the sale of timber.

May 30 at 11, before the CHIEF COMMISSIONER.

Joseph Steel, Mint-street, Southwark, Surrey, out of business.—*Benj. Steill*, Little Queen-st., Lincoln's-inn-fields, Middlesex, in no business.

May 30 at 11, before Mr. Commissioner PHILLIPS.

Samuel Bennett, Hackney-road, Middlesex, corn dealer.—*Richard Bailey* the elder, Stratford, Essex, out of business.—*Hyam Ansell*, Great Prescott-street, Goodman's-fields, Middlesex, commission-agent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Oxfordshire, at OXFORD, May 29.

Robert Borgeyne, Summertown, near Oxford, draper.

At the County Court of Gloucestershire, at BRISTOL, May 29 at 11.

Thomas Bedford the younger, Bristol, ironmonger.

At the County Court of Gloucestershire, at GLOUCESTER, June 10 at 10.

George Clay the younger, Ledbury, dealer in hay.

At the County Court of Kent, at DOVER, May 28 at 10.

Caroline Mann, Dover, out of business.

At the County Court of Nottinghamshire, at NOTTINGHAM, June 6 at 9.

John Gray, Carlton-hill, miller.—*Wm. Culley* the elder, Gedling, farmer.

INSOLVENT DEBTORS' DIVIDENDS.

John Bartlett, Bath, butcher's shopman, May 15, Penfold's, 42, Moaklenburgh-square: 20s. in the pound.—*Watson Yorke*, Brigstock, near Thrapeton, Northamptonshire, farmer, May 20, Summers's, Thrapeton: 6½d. in the pound.

FRIDAY, MAY 17.

BANKRUPTS.

HENRY SCHOLEFIELD, Clare, Suffolk, chemist and druggist, May 29 and June 25 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Shield & Harwood, 26, Queen-street, Cheapside.—Petition filed May 8.

JOHN WINN, Charlotte-st., Blackfriars-road, Surrey, gas fitter, dealer and chapman, May 27 at half-past 2, and June 29 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Smith & James, Birmingham; Weeks, Cook's-court, Lincoln's-inn.—Petition dated May 4.

THEODORE DE RUMIGNY, St. Mildred's-court, London, merchant, commission-agent, dealer and chapman, (trading in copartnership with Stephen Charles Lakeman, under the firm of Lakeman & Co.), June 3 at half-past 12, and July 2 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Lawrence & Pews, Old Jewry-chambers, London.—Petition dated May 1.

JOHN MOODY, Aldersgate-st., London, stock manufacturer, dealer and chapman, May 24 and June 28 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lawrence & Pews, 14, Old Jewry-chambers.—Petition dated May 11.

CLAXON SCARFE, Hall-st., City-road, Middlesex, timber merchant, dealer and chapman, May 30 and July 6 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Dimes, 26, Broad-st., Cheapside.—Petition filed May 15.

JAMES WOODS, Condrit-st., Bond-st., Middlesex, tailor, dealer and chapman, May 25 at half-past 11, and June 27 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Wilkinson & Co., 10, John-st., Oxford-st.—Petition dated April 15.

WILLIAM WALFORD, Wolverhampton, Staffordshire, common brewer, dealer and chapman, May 30 and June 27 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Harrison, Birmingham.—Petition dated May 14.

GEORGE BAILEY, Coventry, ribbon and trimming manufacturer, dealer and chapman, May 27 and June 24 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Troughton & Co., Coventry.—Petition dated May 4.

JAMES WEBSTER, late of Basford, Nottinghamshire, but now of Leicester, engineer, iron and brass founder, May 24 and June 21 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Gregory, Leicester.—Petition dated May 2.

JOHN HILL the younger, Malmesbury, Wiltshire, innkeeper, June 1 and 29 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Abbot, Bristol; Pyke, 43, Lincoln's-inn-fields.—Petition filed May 10.

THOMAS COWGILL, Bradford, Yorkshire, grocer, dealer and chapman, June 4 and 25 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Lees & Humble, Bradford; Bond & Barwick, Leeds.—Petition dated May 6.

WILLIAM PASSMORE, Leeds, Yorkshire, tailor and draper, dealer and chapman, (lately in partnership with Francis Blanchard, Leeds, tailor and draper), May 30 and June 28 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sol. Upton, Leeds.—Petition dated May 1; filed May 8.

JAMES MELLOR, Manchester, haberdasher, smallware dealer, dealer and chapman, May 31 and June 27 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Blair, Manchester.—Petition filed May 10.

JOHN HAWLEY, Liverpool, confectioner, dealer and chapman, May 23 and June 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Walters & Son, 36, Basinghall-street, London.—Petition filed May 8.

JAMES HURRY, Liverpool, wine, spirit, and provision merchant, (carrying on business at Liverpool under the name, style, or firm of James Hurry & Co., and lately carrying on the business of wine, spirit, and provision merchant, in copartnership with Charles Frederick Lott, in Liverpool, under the name, style, or firm of Hurry & Lott), May 30 and June 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Pemberton, Liverpool.—Petition filed May 14.

GEORGE CHARNOCK, West Derby, near Liverpool, baker, flour and provision dealer, June 3 and 24 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Kays, Liverpool.—Petition dated May 9.

METTINGS.

Joseph Robinson, High Holborn, Middlesex, bookseller, June 7 at 1, Court of Bankruptcy, London, last ex.—**Robert Godemert** the younger, Crosby-row, Walworth-road, Surrey, grocer, June 7 at 12, Court of Bankruptcy, London, last ex.—**John Fawcett**, Kingston-upon-Hull, timber merchant, May 29 at half-past 1, District Court of Bankruptcy, Kingston-upon-Hull, pr. d.—**James Harbidge**, Ekip, Oxfordshire, miller, June 6 at 11, Court of Bankruptcy, London, and. ac. and div.—**Thomas Dunn**, Hastings, Sussex, builder, June 6 at 1, Court of Bankruptcy, London, and. ac.—**John Barton Bulcombe**, Cannon-street, London, sharebroker, May 31 at 11, Court of Bankruptcy, London, and. ac.—**G. Burwood**, Chester, draper, May 30 at 11, District Court of Bankruptcy, Liverpool, and. ac.—**Samuel Wroth Anthony**, Liverpool, shipowner, June 4 at 11, District Court of Bankruptcy, Liverpool, and. ac.—**Joseph Clementson**, Whitehaven, Cumberland, tobacconist, May 28 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—**John Cresswell Jobling**, Newton-hall, Bywell St. Peter, Northumberland, smelter of lead ore, May 31 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—**Edward Reine and John Reine**, Barnard Castle, Durham, carpet manufacturers, June 6 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—**R. Robson**, Newcastle-upon-Tyne, manufacturer of plaster of Paris, June 10 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—**J. F. Taylor**, Bakewell, Derbyshire, grocer, May 28 at 12, District Court of Bankruptcy, Manchester, and. ac.—**Henry Wilcos**, Manchester, tailor, June 4 at 12, District Court of Bankruptcy, Manchester, and. ac.; June 14 at 12, div.—**William Frederick Lockwood**, Pendleton, Lancashire, dealer in music, June 4 at 12, District Court of Bankruptcy, Manchester, and. ac.—**John Edwards**, Holt-town, Manchester, manufacturer, June 6 at 12, District Court of Bankruptcy, Manchester, and. ac.; June 7 at 11, div.—**Benjamin Buxforth Broadbent**, Spotland, Rochdale, Lancashire, sannel manufacturer, May 31 at 12, District Court of Bankruptcy, Manchester, and. ac.—**William Hardy**, Manchester, dyer, June 6 at 12, District Court of Bankruptcy, Manchester, and. ac.; June 7 at 12, div.—**John Young**, Manby, Lincolnshire, innkeeper, June 5 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, and. ac.—**Thomas Randall**, Bebbles-cad, Sowerby, Halifax, Yorkshire, innkeeper, May 30 at 11, District Court of Bankruptcy, Leeds, and. ac.—**Daniel Haigh**, Lanthwaite, Almondbury, and **Jos. Haigh**, Slithwaite, Huddersfield, Yorkshire, cloth manufacturers, May 30 at 11, District Court of Bankruptcy, Leeds, and. ac.—**James Horshaw and William Ashew**, Leeds, Yorkshire, cloth merchants, May 30 at 11, District Court of Bankruptcy, Leeds, and. ac.—**Martin Oswald**, Leeds, Yorkshire, ironfounder, May 30 at 11, District Court of Bankruptcy, Leeds, and. ac.—**Thomas Don**, Swinton Iron-works, West Riding of Yorkshire, May 30 at 11, District Court of Bankruptcy, Leeds, and. ac.—**Jos. Garrison**, Helphurby, Yorkshire, grocer, May 30 at 11, District Court of Bankruptcy, Leeds, and. ac.—**Thomas Henry Walker**, Longton, Stoke-upon-Trent, Staffordshire, manufacturer of earthenware, June 14 at 12, District Court of Bankruptcy, Birmingham, and. ac.—**Levi Davis**, Redditch, Worcestershire, needle manufacturer, June 12 at 12, District Court of Bankruptcy, Birmingham, and. ac.—**George Plant**, Stafford, grocer, June 3 at 11, District Court of Bankruptcy, Birmingham, and. ac.—**Hugh Jones Owen**, Madley, Shropshire, apothecary, June 17 at 11, District Court of Bankruptcy, Birmingham, and. ac.—**George Parker Waterhouse**, Birmingham, coal merchant, June 17 at 11, District Court of Bankruptcy, Birmingham, and. ac.—**James Lockett**, **W. Baker**, and **John Nicholson**, Stone, Staffordshire, railway contractors, June 17 at 11, District Court of Bankruptcy, Birmingham, and. ac.—**William John Hadden**, Tottenham, Middlesex, brewer, June 7 at 11, Court of Bankruptcy, London, div.—**Augusta Sophia Tipper**, **Henry Roe Tipper**, and **Aldred Tipper**, Upper Thames-street, London, and Horton Mills, Buckinghamshire, wholesale stationers, June 7 at half-past 11, Court of Bankruptcy, London, div. sep. est. of **Augusta Sophia Tipper**.—**Henry Southgate** and **William Millar Robertson**, Fleet-street, London, auctioneers, June 7

at 1, Court of Bankruptcy, London, div.—**John Haig**, Surrey, street, Strand, Middlesex, merchant, June 10 at half-past 1, Court of Bankruptcy, London, div.—**W. Dickes**, Brentford, Isleworth, Middlesex, grocer, June 10 at half-past 11, Court of Bankruptcy, London, div.—**J. Ford**, Richmond, Surrey, licensed victualler, June 10 at 12, Court of Bankruptcy, London, div.—**M. Cowles**, Nine-elms, Vauxhall, and York-road, Lambeth, Surrey, livery-stable keeper, June 10 at 11, Court of Bankruptcy, London, div.—**James Gilbert**, St. Luke, Middlesex, ironfounder, June 10 at 1, Court of Bankruptcy, London, div.—**Wm. Solomon**, Union-street, Southwark, Surrey, and High Holborn, Middlesex, tea dealer, June 6 at half-past 11, Court of Bankruptcy, London, div.—**John Saml. Stry**, St. Alban's, Hertfordshire, banker, June 6 at 1, Court of Bankruptcy, London, div.—**Rich. G. Ward** and **John Perry**, Newgate-market, London, meat salesmen, and Gilbert-street, Oxford-street, Middlesex, butchers, June 6 at 12, Court of Bankruptcy, London, div.—**Bowland Mitchell**, Lime-street, London, merchant, June 7 at 11, Court of Bankruptcy, London, div.—**Adam Brown**, Mount-street, Whitechapel, Middlesex, draper, June 7 at 12, Court of Bankruptcy, London, div.—**H. W. Hewes**, Colchester, Essex, baker, June 7 at half-past 11, Court of Bankruptcy, London, div.—**Jos. Searle** and **Saml. B. Searle**, Saffron Walden, Essex, bankers, June 6 at 11, Court of Bankruptcy, London, div.—**David O. Blyth**, Colchester, Essex, merchant, June 7 at 12, Court of Bankruptcy, London, div.—**Thos. Hunt** and **Roger Hunt**, Broad-street, London, and Nottingham, wholesale hoisers, June 6 at half-past 12, Court of Bankruptcy, London, div.—**Jos. Montefiore** and **Jos. B. Montefiore**, Nicholas-lane, London, merchants, June 8 at 1, Court of Bankruptcy, London, div.—**David James**, Dartford, Kent, banker, June 6 at 1, Court of Bankruptcy, London, div.—**John Lloyd**, New Oxford-st., Middlesex, hosier, June 6 at 11, Court of Bankruptcy, London, div.—**David James**, Cardigan, licensed victualler, June 7 at 11, District Court of Bankruptcy, Bristol, and. div.—**J. Williams**, Sandiway, Weaverham, Cheshire, innkeeper, June 20 at 11, District Court of Bankruptcy, Liverpool, div.; June 27 at 11, last ex.—**John Jackson**, Clifford, Herefordshire, farmer, June 13 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Baker, Cheltenham, Gloucestershire, shoe manufacturer, June 8 at 12, Court of Bankruptcy, London.—**M. L. Pritchard**, Liverpool, stockbroker, June 8 at half-past 11, Court of Bankruptcy, London.—**S. Firth**, Leeds, Yorkshire, linen-draper, June 10 at 12, District Court of Bankruptcy, Leeds.—**John Crosthwaite**, Liverpool, merchant, June 14 at 11, District Court of Bankruptcy, Liverpool.—**E. Robson**, Newcastle-upon-Tyne, manufacturer of plaster of Paris, June 10 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—**J. Fawcett**, Kingston-upon-Hull, timber merchant, June 12 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—**James Johnson**, Sheffield, Yorkshire, razor manufacturer, June 8 at 10, District Court of Bankruptcy, Sheffield.—**Chas. Burgin**, Sheffield, Yorkshire, steel manufacturer, June 8 at 10, District Court of Bankruptcy, Sheffield.—**George Hutton**, Sheffield, Yorkshire, grocer, June 8 at 10, District Court of Bankruptcy, Sheffield.—**Jos. Chasner**, Kenilworth, Warwickshire, grocer, June 17 at half-past 10, District Court of Bankruptcy, Birmingham.—**Jos. Farnmore**, Birmingham, steel pen manufacturer, June 17 at 10, District Court of Bankruptcy, Birmingham.—**John Byars**, Oswestry, Shropshire, grocer, June 17 at 11, District Court of Bankruptcy, Birmingham.—**Jos. George Geyelin**, Liverpool, zinc worker, June 11 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Frederick Barford, St. Alban's, Hertfordshire, straw plant dealer.—**Isaac Jones** and **Mary Browne**, High-row, Knightsbridge, Middlesex, lead merchants.—**James Adderson**, West Dereham, Norfolk, butcher.—**W. H. Culver** and **F. Webster**, Wood-street, Westminster, brewers.—**H. F. Hodson**, Bedford, Essex, ironmonger.—**John Morgan**, Copthall-st., London, stockbroker.—**John Freeman**, Millbank, Worcestershire, horse dealer.

SCOTCH SEQUESTRATIONS.

John Jobson, Larrichbane, Argyllshire, deceased.—**Lach-**

lan Morrison, Crief, innkeeper.—Alexander Macintosh, Dunearn, Nairnshire, farmer.—William Pride, Glasgow, coal dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Machan, Sheldergate, Yorkshire, out of business, June 4 at 10, County Court of Yorkshire, at York.—John Horner, Micklegate, Yorkshire, shopkeeper, June 4 at 10, County Court of Yorkshire, at York.—John Chalmers, Wrexham, Denbighshire, clerk of the Shrewsbury and Chester Railway Company, May 21 at 10, County Court of Denbighshire, at Wrexham.—John Clements, Ashton-under-Hill, Gloucestershire, tailor, June 13 at 1, County Court of Worcesterhire, at Evesham.—T. Stone, Boddan, Doukling, Somersetshire, farmer, June 22 at 10, County Court of Somersetshire, at Wells.—Allen Riley, Shorehead, Huddersfield, Yorkshire, plasterer, June 7 at 10, County Court of Yorkshire, at Huddersfield.—Joseph Howley, Lincoln, porter to the Lincoln Lamentic Asylum, June 3 at 10, County Court of Lincolnshire, at Lincoln.—Robert Robinson, Lincoln, butcher, June 3 at 10, County Court of Lincolnshire, at Lincoln.—H. Minniti, Stainton, Lincolnshire, farmer, June 3 at 10, County Court of Lincolnshire, at Lincoln.—Ann Elvidge, East Retford, Nottinghamshire, shoemaker, June 5 at 11, County Court of Nottinghamshire, at East Retford.—George Fisher, Huddersfield, Yorkshire, warehouseman, June 7 at 10, County Court of Yorkshire, at Huddersfield.—Edmund Holt, Rochdale, Lancashire, out of business, June 6 at 12, County Court of Lancashire, at Rochdale.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 1 at 11, before Mr. Commissioner PHILLIPS.

Thomas Biding, Charlton, near Woolwich, Kent, assistant engineer in the Royal Navy.—John Isaac Edwin, Hollywood-lodge, New Brompton, Middlesex, out of business.—George S. Keymer, Bedford-terrace, Upper Holloway, Middlesex, out of employ.—James Mowatt, James-street, Porchester-terrace, Bayswater, Middlesex, foreman to a livery-stable keeper.

June 3 at 10, before Mr. Commissioner LAW.

Henry Bellingham, Stevenson-terrace, Caledonian-road, Islington, Middlesex, plumber.—Thomas Brown, Edgeware-road, Marylebone, Middlesex, furnishing undertaker.—George Chitty, Old Brentford, Ealing, Middlesex, butcher.—Abraham Trew, Union-street, Somers-town, Middlesex, out of employment.—Walter Passende, Edgeware, Middlesex, builder.—Thomas Henry Bennet, St. James's-place, Hampstead-road, Middlesex, assistant clerk in the General Registry Office, Somerset House.

June 3 at 11, before Mr. Commissioner PHILLIPS.

Caroline Wareham, Bathurst, Surrey, upholsterer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 3 at 11, before the CHIEF COMMISSIONER.

Christopher James Noble, Catherine-st., Strand, London, dealer in gloves.—Wm. Mortimer, Charles-street, Hatton-garden, Holborn, Middlesex, grocer.—Robert Mather, Old North-st., Red Lion-sq., Middlesex, law writer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, May 25 at 5.

Robert Bedford, Fen Drayton, tailor.—William Coulson, Milton, farmer.—Wm. Silk, Over, labourer.

At the County Court of Lincolnshire, at LINCOLN, June 3 at 10.

James Bothamley, Fleet-st., near Hailbeach, in no business.—John Shocklock, Spalding, in no business.—Joseph Wright Clarke, Skegness, farmer.

At the County Court of Devonshire, at EXETER, June 1 at 10.

Matthew Croker, Stonehouse, beer-shop keeper.—Oliver Vasek, Clawton, out of business.

At the County Court of Worcesterhire, at WORCESTER, June 12 at 10.

Thomas P. Wilson, Kidderminster, baker.

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LONDON, MAY 25, 1850.

A DECISION has recently been pronounced (*Thomas v. Roberts*, Vice-Chancellor Knight Bruce, 22nd May) which appears to us to carry the doctrine of interference with the right of a father to the custody of his children, farther than any case has yet gone. Of the jurisdiction of the Court of Chancery, as representing the Crown, to interfere between a father and his children, if he does not properly take care of them, no one of course entertains any doubt; nor is it to be doubted that the jurisdiction of the Court is not limited to cases where it finds the father actually improperly treating his children, but that it has power to interfere if it has reasonable ground to believe that he *will* improperly treat them. We are not going, therefore, to suggest any objection to the decision in *Thomas v. Roberts*, either on the ground of want of general jurisdiction, or on the ground that the petitioner's father was not actually bringing up his child improperly, but was only prospectively expected so to bring him up. The objection that we humbly submit may be made to this decision is, that the conduct and principles of the father, and of those with whom he was shewn to be habitually living, were not so clearly and positively immoral or religious, as to draw to them the jurisdiction of the Court, unless the limits, not exceeded in the preceding authorities on the subject, are to be greatly exceeded.

In the first of the two leading cases on this subject *Shelley v. Westbrook*, Jac. 206, and *Wellesley v. The Duke of Beaufort*, 2 Russ. 1) there was specific unmistakable impropriety in the father, and conduct considered upon the evidence to be the direct result of his principles. In the second there was specific unmistakable bauchery of the grossest kind, practised under the very

roof which he sought to make the shelter of his children, both male and female; clear and positive inculcation of blasphemy, immorality, and blackguardism, as regarded the male children. Mr. Shelley had abandoned the mother of his children, and cohabited with another woman; was, according to the report, the avowed author of a work not only deriding the Christian religion, but denying the existence of God; and not only had he been guilty of immoral conduct, but the Court, upon the evidence before it, was compelled to conclude that his immoral conduct was not mere human weakness, but the effect of his principles. So that there was an almost irresistible inference from the evidence, that Mr. Shelley would bring up his children to disbelieve, not only in Christianity, but in God, and to pursue a course of immoral conduct as a matter of right and propriety. Now, whether the law of this country does or does not look upon the bringing up of a child in the Christian religion as a duty to the State, it is tolerably clear that it does look upon the bringing up of children in the belief of a Supreme Being as such a duty; in fact, it imposes upon an avowed atheist some serious legal disabilities, which it does not impose upon persons professing any creed, however separated from Christianity.

In *Mr. Wellesley's case* the decision turned upon the immoral conduct, and not the irreligion, of the father. But the nature of the immoral conduct was not such as to admit of any doubt or discussion—that is, discussion whether it was immoral or not, within the meaning of the law, the doctrines of any known religion, and the usages of decent society. Part of his own conduct was actual crime at law: part of his method of bringing up his sons consisted in inculcating, as spirited and manly, the commission of acts which would be crimes, and

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punishable at law. It was not as if Mr. Wellesley had himself done, and had taught his children to do, things as to the morality of which decent men might differ: he had done, and instigated his children to do, things which were clear and unmistakeable sins against morality, punishable both by the ecclesiastical and civil law. So, in the dictum of Lord Eldon in *De Mannesville v. De Mannesville*, (10 Ves. 61), the doctrine laid down by his Lordship does not go beyond acts clearly and grossly immoral or impious. "Since I have sat here," says his Lordship, "I removed a child from its father upon considerations such as these: the father was a person in constant habits of drunkenness and blasphemy, poisoning the mind of the infant." And in the case of *Mytton v. Holyoake* (see *M'Pherson on Infancy*, 149) the husband had not only treated his wife with cruelty, and his children with harshness, but introduced women of profligate character into his house, and taught the children to repeat and write blasphemous and irreligious language.

We believe there is no case to be found of the jurisdiction being exercised, in which the principles and conduct of the father were such as to admit at all of discussion, whether they were opposed to any settled rule of religion or morals; that is, to any rule so settled that a person contravening it would be obnoxious to the censures of the church, or to penalties imposed by the law. And if no such case is to be found, may it not be thought that the jurisdiction does not extend so far, bearing in mind the extreme delicacy of the jurisdiction, and the fearful authority with which it invests a judge, to interfere with a right of the most sacred and important character?

The remaining question is, whether, in *Thomas v. Roberts*, the principles and conduct of the father, as proved, were such as to be clearly irreligious or immoral, tried by any fixed and known rule.

Now, the charges against the father, made out by evidence, were three: first, the expulsion of his wife from his home and society, at a period when certainly such expulsion could not be viewed by any decent and sane man otherwise than as harsh and cruel treatment; secondly, the disuse of prayer in practice, and the professed belief of its being unnecessary and useless; thirdly, the professed and practical rejection of the seventh day as a day of worship and rest. We do not collect from the Vice-Chancellor's judgment that he rested it upon the first charge, however strongly he, with a just indignation, reprehended the conduct established by that charge. So that the only grounds on which, or on one of which, the judgment proceeds, are the two remaining charges. And taking the disuse of prayer first. It must be recollected, that the Agapemonians did not say that generally prayer was useless, or that they had always neglected it. On the contrary, they said, that they had persisted in continual prayer until they had obtained that for which they prayed, viz. communion with God. They said, that having obtained that, they had ceased to use prayer, because it was no longer necessary to them, and they used instead hymns of praise and thanksgiving. Now, the English of all this is, that, according to their own statements, they believe themselves to be what, in the language of some other sects, is termed "the elect,"

"the Lord's chosen," or the like; that is, persons having secured their salvation, and having therefore nothing more to pray for; and persons so believing, may be, perhaps justly, thought persons of wonderful conceit and folly; but are they clearly guilty of impiety? Do their belief and practice amount to more than this—that they err in their estimate of their own religious perfection? And does any amount of such error constitute impiety or blasphemy, in the sense usually legally attached to those words?

Passing to the second head, that of neglect of the seventh day. Now, on this point, the Agapemonians also qualify their doctrine: they deny that they do not hold the seventh day holy, for they say that they hold every day holy, and devote every day to the Lord. So, at least, we construe their somewhat obscure expression of regarding "each day unto the Lord." And though it may be a very wrong construction of the fourth commandment, and of the practice of the Christian Church, to hold the six days holy, as well as the seventh, does it amount to anything more, bearing in mind that it was not proved, or even alleged, that the Agapemonians do on the seventh day the only thing that is forbidden by the fourth commandment, viz. work; but only that they use certain sports on the seventh and on every other day indifferently?

Looking at the conduct of the Agapemonians, with reference to the test which we find, as we conceive, tacitly applied in the older authorities, could they be subjected, on account of it, according to the actual practice of the Courts, to any pains, penalties, or damages, in either a court of law or a court of equity?

The Agapemonians may be very foolish fanatics, and the father, in the case of *Thomas v. Roberts*, may, in addition, deserve the censure of every man of decent feeling for his treatment of his wife; but, we confess, it does appear to us, that the exercise of the jurisdiction in this case introduces a principle not apparent in the authorities; making it exercisable in cases where the question of impiety or immorality may be one of opinion, instead of confining it to cases where the immorality or irreligion can be tested by some such positive rule as liability in practice to the judicial censures of the Ecclesiastical Courts, or to penalties or damages sustainable at law.

OBSERVATIONS ON THE EXTENSION OF THE COUNTY COURTS JURISDICTION.

THE great mistake that we have been in the habit of making in this country in our judicial system has been to suppose, that justly to administer the laws, is necessarily to administer justice. It may be conceded at once, that in this country the administration of the law is very pure—as unsullied by any influence of interest or private feelings as it is possible to conceive, recollecting that it is after all conducted by men with human sins and weaknesses. But nevertheless, admitting that, and admitting also that for the most part the laws are themselves just, it would not follow, nor is it the fact, that our superior courts always administer justice: for justice, as the citizen practically understands and expects it, means not merely the assertion of his right, without reference to the labour of obtaining it, the time within which it can be obtained, and the cost at which it is obtained; but it means the obtaining of

his right, with such an amount of labour, time, and expense as will make the right, practically and commercially speaking, worth having. No doubt there is in the hearts of most men, and very certainly of Englishmen, a sort of thirst for enforcing their rights in the abstract: they would rather make great sacrifices to have them, than abandon them altogether. But this, a disposition, politically speaking, most valuable, and destined for the broad assertion of those great classes of rights which distinguish the free and commanding from the subservient nations of the earth, is one which it is not for the interest or convenience of mankind to call into operation on every trifling difference which occurs between man and man in the every-day business of a commercial country. As to these, not great emergencies, but inevitable and daily disputes as to rights of property, a right is not worth establishing, if the cost of obtaining it, including therein not the mere money paid, but the estimated value of time, exceeds some given proportion of its actual value when obtained. Take, for instance, a contest between a professional man or a tradesman, claiming from his employer or customer a debt of 40*l.*, which is disputed. It must always be assumed, wherever there is a contest, at least where the ground of disputing a claim is not poverty, that there is some doubt either of the legal or the moral validity of the claim; for if there were no doubt, there would be no dispute. If, then, the mode of procedure for the recovery of the debt be such, that, if the plaintiff be wrong, his costs will *certainly* far exceed his claim, and that, if he be right, his costs, over and above what he will obtain from his adversary, will make a deep inroad upon the amount of his claim recovered; and if, in addition, the loss to him by consumption of his time (to say nothing of the anxiety and suspense) will be almost certainly equivalent to a fourth or a fifth of the value that he claims, what *commercial* inducement can he have to enforce his right by process of law? He may do it to "punish the rascal," as it is phrased, which means, to be revenged; he *may* possibly do it, from a stern love of justice in the abstract, for the sake of others; but he will hardly do it for his own personal benefit, if he has only a little more prudence than temper; for the simple reason, that "*le jeu ne vaut pas la chandelle.*" If he succeeds, and, obtaining a verdict, with costs, is paid his debt, and has to pay nearly the whole of it to the legal soldiers who have won his battle, can it be said—will it be felt by himself—that he has obtained justice, in the sense of obtaining his right? Certainly not. What a man of business means by obtaining his right, is obtaining something useful and valuable to which he is entitled; not taking 40*l.* out of one pocket in order that a second man may compel a third to put it back into his other pocket.

There must be, then, in order to make the administration of the *law* also a practical administration of *justice*, in general such a proportion between the trouble and cost of enforcing a right, and the value of the right, as will make the obtaining of it commercially valuable. What that proportion is, precisely, it may not be easy to ascertain. It is probable that it ought never to exceed 10*l.* per cent. on the demand; but it is quite certain that the existing proportion, when rights under the value of 50*l.* are enforced in our superior courts of law, with the fairest regard to economy, is very much beyond the point at which prudent men of business, seeking, not revenge, but simply the just restitution of their property, will venture generally to seek their rights.

To multiply instances to shew, that, in claims under 50*l.* enforced in the superior courts, the proportion of cost, to advantage, is altogether a *disproportion*, would be waste of time.

The fact is too notorious in the Profession; and the general public, if any of their number should chance to

read these pages, will have no difficulty in crediting an assertion, coming from a lawyer, tending to discredit the cause of expensive law.

Now, it is not, of course, requisite, if the foregoing facts are true, and the foregoing principles sound, to advance any other arguments to shew that all jurisdiction upon claims not exceeding 50*l.* should be withdrawn from the superior courts, if their procedure remains as it is. For, since the object of courts is to administer justice to the people, establish the fact that it cannot be obtained in a given court, and it follows that the jurisdiction of that court, as administered, is useless, and should be either altered or abolished. But it would not follow, that, because such jurisdiction should be withdrawn from the superior courts, as at present conducted, therefore it should be given to the county courts; and here lies the apparently debateable ground, of which the opponents of the County Courts Extension Bill have taken advantage. Not discussing the question, whether some change of jurisdiction is not absolutely essential, in order to enable the people to have justice in respect of subjects of dispute not exceeding 50*l.*, they have availed themselves of the apparent objections to the county courts, and have endeavoured to shew that at any rate those courts should not be intrusted with a 50*l.* jurisdiction.

Now, I think it will need no great argument to shew that most of the objections urged against the county courts are purely surface objections, and that it is precisely to those courts that the jurisdiction can be given with the greatest amount of public advantage.

In the first place, the courts are there ready made; all their staff organised; their process known; their forms of pleading settled, and easy to be moulded, if any alteration should be requisite. No material alteration is requisite in order to adapt them to their extended jurisdiction, except such an alteration of the scale of costs as will enable the parties to actions to employ attorneys of the higher class, and counsel, if need be; and an increase of the emolument of the judges and other responsible official functionaries, in proportion to the increased responsibility and quantity of their labour.

There is nothing whatever to prevent the jurisdiction being in full and profitable exercise by next Michaelmas Term, if it should be given to the county courts.

On the other hand, if it be proposed to attain the same object by a simplification of the procedure of the superior courts, it may be doubted, in the first place, whether any such simplification can be obtained; that is, whether any system of procedure can be devised which shall at once answer the exigencies of those whose subjects of litigation, being of small amount, require, above all things, small cost and great expedition, to make a decision worth its price; and of those to whom, their subjects of litigation being extended in amount and complication, a more minute sifting, and a more tedious and expensive procedure, may be worth adoption.

In the next place, whether the problem can be solved at all, or not, it is quite certain that it will not be solved—nay, probably, that its solution will not be attempted—for many sessions. Now, whatever may be the defects of the county courts, unless it could be shewn, not merely that there are doubts of their beneficial action, but that they are quite clearly inapplicable, it would be utter folly to neglect the opportunity of directly mitigating an admitted evil, for the sake of a prospective remedy, as to which, whether it will be better or not can only be the subject of conjecture.

But next, what are the objections to the county courts? They resolve themselves, as put forward, into these:—

I. Objections to the qualifications of the judges.

II. Objections to the constitution of the courts, especially in reference to their being local.

III. Objections to the effect of their extended jurisdiction on the system of trial by jury; and,

Lastly, objections to their effect on the status of the legal profession.

As to the first objection, it is said that the judges of the county courts are not selected from that class of counsel, among which are to be found men eminent enough for talent and learning, to deal with the questions that would come before them to the satisfaction of the public. To this it may be answered, that, if the judges are not selected from a sufficiently high class of the Bar, they must be in future selected from a higher class; and that, if the salaries now given are not sufficient to attract men of competent ability, higher salaries must be given, and will attract competent functionaries.

But, in truth, it is rather an insult, and a very puerile insult, to a body of men having or having had among its ranks such men as Starkie, Amos, and others, if of less note, yet, perhaps, not of less solid reputation and acquirements, to impute to them an incapacity to satisfy the public litigating in respect of demands reaching the vast amount of 50*l.*, more especially if, as is very properly contemplated, an appeal is to be given to the superior courts. Masters in Chancery and Commissioners in Bankruptcy, who are in general taken from about the same rank, the former of the Chancery Bar, the latter of both Bars indiscriminately, as county court judges, dispose daily of questions involving claims of ten times the value of 50*l.*, to the satisfaction of the public; and since the Joint-stock Companies Winding-up Acts have come into operation, the decisions of the Masters in Chancery continually affect claims where thousands are at stake. In truth, the objection is utterly trivial, and unworthy of further notice.

Next as to the constitution of the courts. It is objected, that, because of their being local, the judges will have local interests and prejudices; and that the juries will also be local juries, having local interests and prejudices.

Now, as to this objection, it has been well observed, that it is answered by the general satisfaction given by the county courts in their 20*l.* jurisdiction, to which precisely the same objections would be applicable, and were, in fact, originally suggested. But is there, in fact, anything in the objection? Because a judge has a local residence, must he necessarily have local interests and prejudices; or because he has them, must he necessarily forget his oath of office, and be ready to forfeit the judicial appointment which he has sought and desired, and on which his position in society, perhaps his subsistence, depends? Chancellors and Vice-Chancellors are usually localised in London: is it imputed to them, that therefore they are unfit to try London causes? So, Commissioners in Bankruptcy are all local judges. Has any one ever suggested, that therefore *they* are unfit for their duties? All the police magistrates all over the country, all the colonial judges, in fact all judges, except the fifteen common-law judges, are local judges, and even the common-law judges are so with regard to all their London business.

This objection, too, is therefore one that has no experience to support it, even if in theory it were tenable.

Then, with regard to the objection that the juries will be local juries, the point might well be passed by as irrelevant with reference to county courts, supposing that the practice is not to be altered, of leaving parties to have juries only when they desire them; because, judging from the past experience of the county courts, the parties will not, once in a hundred times, choose to have a jury, but will prefer trusting to the judge. But supposing that juries will be much resorted to, how can it be said that local juries will be an incident peculiar to the county courts? In a great majority of the

cases now tried at Nisi Prius, the juries are inevitably of the same locality as the causes; and the mischief, admitting it to be one, is borne with, and is thought not inconsistent with a perpetual laudation of the institution of juries.

That it is to some extent a mischief, that a jury should be taken from the neighbourhood where the contending parties live, is not to be denied, but it is an evil which, if a jury be used at all, must be borne occasionally with any system. If likely more frequently to occur in a county court than in a nisi prius court, that would be a reason rather for discouraging in the county courts trial by jury, than for excluding from them causes which, it is admitted, cannot be tried in the superior courts without an expense acting, in effect, as a bar to their being tried at all.

The third objection is, that, inasmuch as the county courts are assumed to proceed principally without juries, or that inasmuch as, at any rate, it is assumed that the mischief of local juries ought to prevent their use in county courts, the proposed extension of the jurisdiction of those courts will tend to discredit the use of trial by jury.

Now what an argument is this? What! is jury trial valuable, not in its uses, but for itself? Is it such a summum bonum, that the people are to go without justice, unless they can have it through a jury? Or is not jury trial rather a system which the people of this country for a long time loved, with or without reason, for every purpose—which they still love for many purposes—but which they are willing to forego for certain other advantages not attainable except by giving it up? Are there not in this country a multitude of modes of judicial proceeding to which parties resort—sometimes voluntarily, to the exclusion of the fixed tribunals of the country—in which trial by jury does not appear, and to which, if objections are made, it is certainly not because of the absence of juries? There are no juries in Chancery; there are none in Bankruptcy; there are none either in the Ecclesiastical Courts or the Admiralty Court; there are none in those courts which are exclusively the creatures of the parties—arbitration courts; yet, in all these courts, men submit important rights to adjudication; and though they complain of delays, of expenses, of many evils, they do *not* complain of the absence of juries. The truth is, that the worship of jury trial is at this day mere lip worship—cant, and little else; and the majority of men of business of every class prefer—for adjudication upon their rights of property, inter se, as distinguished from adjudication between them and the State—the decision of an intelligent judge, to that of such bodies of men as are to be found in the average of juries. If it were necessary to produce proof of this assertion, at least with reference to adjudication upon rights of small amount, I refer to the fact of the very small number of jury trials in the existing county courts, where parties are left at liberty to have a jury or not.

I come now to the question of the operation of the proposed extension on the Profession; and that must be considered, not so much with reference to the interest of the Profession as an independent ground of consideration, as to the interest of the public in the attendance of the Profession in the county courts, and the interest of the Profession only as incident to its public utility; for I think that no man will be found in the Profession who will urge, that if there is a conflict of interests between the public and the Profession, the interest of the public should be sacrificed to that of the Profession.

The question is, then, whether the extension of the county courts will operate prejudicially on the Bar, so as to lower its standard, to the injury of the public, or

on the body of educated Attornies, with a like influence;—admitting, as I do most fully, that, so long as there is such a thing as litigation, the existence of a learned and high-toned Bar, and of a body of educated and gentlemanlike Attornies for the conduct of such litigation, is of unquestionable advantage to the public.

Now, as being more familiar with the position of the Bar, and with the sources of its business and position, than I can pretend to be with regard to the other branch of the Profession, I shall inquire what would be the probable effect of the proposed extension of jurisdiction on the Bar, assuming that, if a respectable Bar is preserved, so must a respectable body of Attornies, since the one can scarcely exist without the other. That the business of the superior courts will diminish is more than probable; but certainly *all* the 50*l.* causes that are now tried in the superior courts, and probably more than twice that number, will find their way into the county courts, and in a considerable majority, if not in all of such causes, it is probable that counsel will be employed, if, as is proposed, the scale of costs allowed by the intended act be such as to justify parties in employing counsel. That there will be less frequent opportunity of purely technical argument, and for the display of mere acumen, is beyond doubt. On the other hand, there will be more frequent opportunity for argument upon the law and merits of a case; and there is, on the whole, no reason to anticipate that there will be anything in the practice of the county courts to lower the *tone* of the Bar, any more than there is in the practice in the Masters' offices in Chancery, to which it will, in all probability, be somewhat similar, except in its being more bustling. That the change of business may, by causing a diminution of London business and an increase of local business, require the creation of a provincial Bar, is not improbable; and other changes, difficult to be foreseen in detail, may take place. But in any such changes there is no reason to anticipate anything that will lower the *tone and position* of the Bar, so far, at least, as the public is concerned in it; because they do not depend so much upon changes in the locality and details of business, as upon circumstances which will not be altered by the proposed changes. There must still be the superior courts, and the high prizes which the judgment-seats in those courts offer to the ambitious and earnest lawyer. It is upon these things, upon the existence of high honours not to be attained except by an uninterrupted course of high-toned conduct, and upon the purity of the general current of business, not upon the special locality within which business is transacted, that the character and position of the Bar depend. Wherever there is a court in which business to be done regularly requires the legal attainments of the advocate, *there* will be found the attendance of a regular Bar; wherever there is a Bar, there will be the visions of advancement to the higher forensic struggles of public life—of the judicial prizes which time and patience, and long and honourable employment, can alone win—and there will be a learned and a high-minded, though perhaps but a junior Bar.

The apprehension of there being no regular Bar to attend the county courts is, I conceive, altogether without foundation, assuming, as it is assumed, that the extension of jurisdiction will materially draw business away from the superior courts. The Bar, or at least a Bar, will follow the business, if the business be such as to justify a Bar. If it is not, it is idle to talk of injury to the administration of justice; still more idle to talk of deterioration to the Bar, by reason of the transfer from the superior courts, or the creation of business which did not, or does not, of its nature, require the attendance of counsel.

So much for the objections to the principle of the

proposed bill. Objections have been made, and by persons whose opinions are entitled to very great consideration, to some of its provisions. The principal points objected to are, that it should be compulsory on the plaintiff to bring his plaint in the district where the defendant resides; and the power given to the judges of the county courts to order a debt to be paid by instalments—both points on which, I believe, objections are felt in reference to the existing county courts.

These are questions of detail, on which, surely, the Legislature may form a sound opinion, without any very lengthened inquiry.

As for the alleged difference between what are now termed commercial and mercantile debts, and those dealt with in the present county courts, making it desirable to retain for the one a ponderous and complicated judicature, more than for the other, I take it to be pure imagination. The difference may require differences in the details of procedure, such as those adverted to, but cannot affect the general question. One thing, however, is certain, that if an appeal be not given from the county courts to the superior courts, they will become a public nuisance, instead of benefit. For, however men may disagree as to the price at which law shall be obtained, or the mode and form in which it shall be administered, all agree that *certain* law is desirable; and the notion of having anything like certain law, if it is to be administered by sixty judges of co-ordinate jurisdiction, without any common superior, is too wild to be entertained. T. S.

EXTENSION OF COUNTY COURTS JURISDICTION.

Committee for the Amendment of the Law of Debtor and Creditor.

At a meeting of the committee and subscribers, holden at the Committee-rooms, 13, Old Jewry-chambers, on the 10th May, 1850, William Hawes, Esq., in the chair, the following report was read:—

SEVENTH REPORT OF THE COMMITTEE TO THE SUBSCRIBERS.

Your committee, in reporting upon the very important matter referred to them, will first express their sense of the great value to all classes of a cheap, simple, and efficacious mode of recovering debts, whether the limit may be 20*l.* or 50*l.*, if effected so as not to foster a litigious spirit in the community.

If such a system can be framed by a judicious union of the practice of the superior courts with that of the county courts; if it can be thoroughly impressed on the minds of debtors that an appeal to law cannot benefit them by any delay they may be able to obtain through its instrumentality for the payment of just debts; and if sufficient protection can be afforded to the debtor against vindictive or unprincipled creditors, then, indeed, will the law encourage and support credit, based either on character or property, and discourage fraud, to the great benefit of all classes of this commercial country.

The County Court Act, passed in 1846, has been, by the simplicity of its proceedings, productive of great benefit to the country, though the good it was calculated to do has been very much interfered with by the excessive amount of the fees of court; but its operation, being limited to debts under 20*l.*, and restricted within certain limits defined by the distance which the debtor resides from his creditor, has not affected or interfered with the security or the regular and punctual payment of what are generally known as trade debts.

Your committee, in this stage of their report, wish to mark the distinction they draw between the class of debts generally recovered in county courts and those

which will be recoverable therein if the present limit of 20*l.* be extended to 50*l.*

Few tradesmen, and certainly not the wholesale dealers and manufacturers, rely upon the punctual payment of debts under 20*l.*, to enable them to meet their fixed liabilities or their acceptances. Not so as regards debts running from 20*l.* to 50*l.* Thousands of tradesmen will be unable to carry on their business if a new and serious element of uncertainty be introduced by law, to interfere with the punctuality with which such debts are now liquidated.

With trade debts from 20*l.* to 50*l.*, the goods they represent have been sold at a price regulated by the credit to be given: they are resold and turned into money. With the great mass of small debts this is not the case; they represent goods sold to the consumer, for the payment of which the seller relies on the permanency of the income of his buyer, from whatever source it may be derived. Such are the vicissitudes and irregularities in the means of all classes, that there is necessarily a much larger addition made to the cost price of goods for this class of debts than in regular trade transactions between manufacturers and wholesale and retail dealers. A small profit and regularity in payment are essential to the prosperity of one class; larger apparent profits, with greater risk and much uncertainty in the period of payment, is the custom of the other.

Impressed, then, with the importance of preventing the introduction of a new element of uncertainty into the collection of trade debts, but fully alive to the evils and inconveniences of the present system, your committee wish, in the strongest manner, to express their anxiety to promote such a change in the administration of the law as will lessen those evils and tend to simplify the tedious, uncertain, unsatisfactory, and expensive proceedings incidental to the trial of actions in the superior courts; but, in order successfully to accomplish this end, it is necessary thoroughly to understand the practical operation, and the effect upon debtors as well as upon creditors, of the law as it now stands.

Your committee will, therefore, point out the means now used by creditors to recover debts between 20*l.* and 50*l.* in the superior courts. The first step is the issue of a writ of summons, at a cost for court fees of 5*s.* If this produce no effect, and declaration be filed and judgment signed, the total amount of fees is 1*l.* 5*s.* 5*d.*; but if the debtor persist in defending the action, and pleads to the suit, expenses accumulate rapidly; for, what with delay of one kind or another, the trial may be postponed for months, and, in very many cases, the creditor waives his claim, rather than run the risk of an adverse verdict, with its accompanying bill of costs, or from the certainty of the loss of the extra costs, even if a verdict be obtained.

From the best information your committee can obtain, it appears that not *four* out of every hundred writs which are issued for the recovery of trade debts are carried to trial; the service of the writ, and the fear of ulterior proceedings, as well as the expense and trouble attending them, act most beneficially on the debtor, who is thereby induced to meet his creditor, and to make arrangements for the immediate payment of the debt and costs, under the sanction of a judge's order—a process which is as effective as a verdict of the Court. This mode of procedure is simple, rapid, and inexpensive—far more rapid and much less expensive than the corresponding proceeding would be under the County Court Act, especially in the country, and under the scale of fees attached to Mr. Fitzroy's bill, as it was introduced and passed the second reading in the House of Commons.

If the payments directed by the judge's order be not made, execution issues, and the debtor is driven either to an equal distribution of his effects, or his property or person is taken, as the case may require; but in either

case, whether by the judgment being unsatisfied for seven days after notice, or the debtor lying in prison for twenty-one days, an act of bankruptcy is committed, which any creditor for 50*l.* may use to secure an equal distribution of the debtor's effects.

The court fees under this mode of procedure amount to 1*l.* 5*s.* 5*d.*; it would be difficult to suggest a more simple process, and the amount of fees cannot be complained of. But, besides these advantages incidental to proceedings in the superior courts, a judge in chambers, having satisfactory evidence that the debtor is about to leave the country, will issue a *capias* for his arrest, by which much fraud is prevented.

The practical effect of these processes is to induce, as far as law can do so, great exertion on the part of the debtor to pay his creditor.

In most cases payment is made in a few days after the issue of the writ; or, if it be followed by a judge's order, time is given for payment by mutual arrangement; and the few writs (not four per cent. of the whole number) which are not so settled are carried as to trial in one of the superior courts.

This four per cent. of the entire number of writs issued represents—first, the number of creditors who will not at once accept their debtors' offer, and who are willing to risk an addition to their loss to test the truth of the debtors' statements; secondly, the malicious and unprincipled debtors and creditors, who, from various motives, seek to accumulate expenses upon their opponent, and to delay unfairly the payment of their just debts; thirdly, those, larger in number than either of the foregoing classes, who prefer to decide the fair and legitimate differences of opinion which arise in the settlement of complicated accounts, by the verdict of a jury; and, fourthly, those cases of debtors who are obliged occasionally, under the pressure of special circumstances, to defend themselves temporarily against the claims of their creditors.

Now, what will be the mode of procedure and the effect on debtors, should the provisions of the County Court Act be extended to these debts?

It has been shewn that every preliminary step in the superior courts tends to induce the debtor to pay his debt and costs, without actual resort to the Court itself.

It appears to your committee that the practice of the county courts, when applied to debts of a larger denomination than 20*l.*, will induce debtors to defer the payment of their debts beyond the agreed term of credit, knowing that no summary process can issue; and that as the court sits usually only once a month, and a week's notice must be given of trial, the debtor is sure of nearly two months extra credit, if even then he cannot obtain from the leniency of the judge any further extension of time for payment by instalments; and in proportion as the fees of the court are low, and the temporary pressure for money great, so will the debtor by *legal means* defer his payment to suit his own convenience, regardless of the injury to his creditor. The debtor may, by this means, be benefited by the *aid of the law*, but he will reap the benefit at the cost of his creditor, and at a sacrifice of his honourable engagements.

The fees of court, under the existing County Court Act, for hearing a cause without a jury, amount, with the poundage, for a sum of 20*l.*, to 3*l.* 0*s.* 6*d.* Under the scale proposed by Mr. Fitzroy, for a debt of 50*l.*, they would have been nearly 6*l.* 10*s.* 9*d.*; whilst the fees to be paid to the superior courts on all actions settled under judge's orders, with execution, amount to only 1*l.* 5*s.* 5*d.** Under the proposed bill the creditor has

* The fees here named are the court fees only: the attorney's costs will be the same in whichever court the business may be transacted; but inasmuch as the attorney's costs chargeable to the defendant under the County Court Act are low, the plaintiff employing his regular solicitor will have to pay more extra costs.

to pay court fees out of pocket, and receive them back by such instalments as the judge may think fit; and, in order to ascertain whether the instalments are duly paid, he has, on the occasion of each instalment becoming due, to pay a fee of 1s., which was increased under Mr. Fitzroy's bill to 2s. 6d. Cases have been sent to your committee, in which the period for the payment of such instalments has been extended over several years.

The principle of the County Court Act implies that one of two parties to a contract has a right to apply to a court to *relieve him from* its conditions, the first party having fulfilled all his engagements. Instead of courts of justice being appealed to by a creditor to support his rights, and to aid him to enforce his just claims, the debtor will use them to aid him in evading his engagements; and it is the opinion of your committee, that in the course of time—for the effect of alterations in the law are not immediate—this system will materially injure small traders; it will increase their difficulty of obtaining credit; an extra risk will attach to unprotected debts; and while dealers of the class above those whose debts to one house rarely exceed 50*l.* will be able to obtain extended credit, those lower in the scale will suffer for want of it, or pay exorbitantly for the extra risk. In the opinion of your committee the supporters of this change entertain very erroneous views of credit; attributing evil to its existence rather than to its abuse—the only proper object of legislation.

Your committee, having thus examined the process now in use for the recovery of debts, and that proposed to be substituted for it by the bill of Mr. Fitzroy, arrive at the conclusion, that, except in a small number of special cases, say less than four per cent. of the whole number of actions for the recovery of simple contract debts entered in the superior courts, the present law relating to debts from 20*l.* to 50*l.* is practically better suited to the wants of the trading classes than that proposed to be substituted for it; that it is more summary, except in the few cases referred to, less costly, more just in its principle, and, in the long run, more beneficial to debtors, and the legitimate maintenance of proper credit.

The next point to which your committee directs attention is the uncertainty and want of confidence which will exist in the decisions on important points of law, which must constantly arise in the settlement of contract debts under 50*l.* Without a power of appeal to the superior courts—the only effectual mode of securing an uniformity of decision—the law will be a lottery. In courts in the metropolitan districts, even now, great differences in the mode of practice exist; one judge will admit the chief clerk of a respectable solicitor to attend for his client; another judge will refuse to hear him; and when it is recollected that all barristers of seven years' standing at the Bar are eligible for the office of judge, and the fact that many of these appointments are made from political motives, your committee cannot but look with great alarm at the effect which may be produced by want of uniformity in the unrevised decisions of so numerous a body of judges.

If, then, the jurisdiction of the county courts be extended, your committee trust that the salaries of the judges may be such as to secure the services of able and upright men.

Your committee have also considered whether the loss of the advantages derived by trade from the power of a creditor to obtain a warrant to arrest a debtor, if it be *proved to the satisfaction of a judge in chambers* that he is about to leave the country, is of sufficient importance to be considered as an objection to this extension bill as it now stands; and it has arrived at the conclusion that this protection against one of the worst classes of mercantile fraud ought not to be withdrawn without more consideration than has yet been given to the subject.

The next point referred to the consideration of your committee is the effect which will be produced on trade and on credit by obliging the creditor to bring his action wherever his debtor may reside. By the County Court Act every plaint must be brought in the court of the district in which the debtor resides, unless the creditor resides at a greater distance than twenty miles from the debtor, when he may proceed as usual in the superior courts. Mr. Fitzroy's bill practically forces every plaintiff into the county courts, and obliges him to try his plaint in the district in which the defendant resides, unless special permission of the court be obtained to try it in the district in which the creditor resides.

This clause has, however, been withdrawn by the House of Commons, with a view to restrict this provision.

Your committee decidedly object to any alteration of the law as it now stands. It appears to meet satisfactorily the class of debts under 20*l.**, which arise chiefly between parties residing in the same or contiguous districts, and also to be applicable to the higher class of trade debts, between 20*l.* and 50*l.*, which are mostly contracted between retail dealers and manufacturers or wholesale dealers living at a distance.

Indeed, it would, in nearly all cases, be a greater hardship to the debtor to oblige him to pay the costs and travelling expenses of the plaintiff and his witnesses, brought frequently from distant places, than to require him to attend at the court of the creditor. What ingenuity might be shewn by a clever rogue in buying goods of dealers residing in distant places, relying on the difficulty such a law would impose on his creditor to compel him to pay his debt! And, independently of the question of expense, your committee object to the proposed alteration, because they view it as one of those indirect attempts to injure credit, and foster a jealous feeling between debtor and creditor, in which some politicians of the day appear to delight. Every unnecessary difficulty thrown by law in the way of obtaining the payment of just debts is to that extent a denial of justice to the creditor, and a premium on the dishonesty and fraud of the debtor. The debtor has bought his goods under a promise to pay at a fixed period, and the law ought to afford every reasonable facility to oblige the debtor to keep his engagement with his creditor.

Your committee will now call the attention of the meeting to another effect of the extension of the jurisdiction of these courts, which has not yet received the consideration it deserves. As at present constituted, poor people of all occupations and classes appear in these courts personally, and support or oppose the plaintiffs, as the case may be.

The amounts in dispute run from 6*d.* to 20*l.*; the great mass being about 6*l.* Will the class of persons interested in such plaints, if the jurisdiction of these courts be extended, as it is proposed, be able to obtain the same patient and attentive, as well as speedy, hearing they now do? And will not the more frequent use of juries, and the attendance of a Bar, by extending the length of all proceedings, cause so much uncertainty when any case will be heard, as to amount to a prac-

* The following proportions between debts under and above 50*l.* in a few first-class wholesale houses have been sent to your committee:—

1. Out of 610 town accounts, there were 466 under 50*l.*
2. " 1000 monthly bills, 395 were between 20*l.* and 50*l.*
3. " 1615 accounts, 326 " 20*l.* and 50*l.*
4. " 1637 " 1114 were under 50*l.*
5. " 3130 " 2755 " 50*l.*
6. " 380 monthly bills, 490 " 50*l.*
7. " 333 " 267 " 50*l.*
8. " 1265 " 1170 " 50*l.*, and 532 from 20*l.* to 50*l.*

tical exclusion from these courts of that smaller class of cases and persons for which they were constituted? So that, whilst an uncalled-for change is being forced on those who can appeal to other courts, another and more helpless class will be deprived of the advantages they have hitherto enjoyed—advantages, the benefit of which is not to be measured by the amount of money collected, but by the satisfaction produced in the minds of the people by a cheap and speedy administration of justice.

Your committee, having noticed at great length all the points referred to them, have now only to express their opinion as to the best course to be adopted with reference to this proposed extension of the jurisdiction of the county courts.

The bill, as it now stands, assuming that the clauses to be proposed by the Attorney-General will be adopted, will not, in the opinion of your committee, effect that which it professes; it will not afford to trade any cheaper or more simple means to recover trade debts, in the great majority of cases, than it now possesses; but it will introduce new elements of uncertainty in the transactions of trade, and tend thereby to limit the credit of the class who require and benefit the most by it: it will, by confining the hearing of complaints to the debtors' court, cause considerable and unnecessary expense to debtors; and it will, while professing to bring justice nearer to the rich, remove it from the reach of the poor; and, besides these objections to the measure as it now stands before the House of Commons, your committee feel that the great change proposed to be made in the tribunal before which all disputed claims relating to trade debts are to be tried—removing them from the jurisdiction of the judges of the land to that of barristers of a few years' standing—has not received that careful and matured consideration its importance requires.

Under these circumstances, your committee feel it their duty to recommend that a petition should be presented to Parliament, praying that the consideration of this measure may be postponed until the subject has been more thoroughly considered by the trading classes; and that a deputation be appointed to wait upon the Right Hon. Lord John Russell, M.P., to urge the adoption of these opinions upon the Government.

By order of the committee,
W. W. OGBOURNE, Secretary.

Old Jewry-chambers, May 9, 1850.

Court Papers.

EQUITY CAUSE LISTS, TRINITY TERM, 1850.

. The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S.* O. Stand Over—*SA.* Short.

Court of Chancery.

Before the LORD CHANCELLOR.

APPEALS.

Dawson v. Brinckman (Ap)	Fowler v. Reynal (Ap)
Tomlinson v. Trough- ton } (Ap, part)	Miller v. Huddleston (Ap)
Haydock v. Tomlinson } (Ap, hd.)	Wilkinson v. Godson (Ap)
Hughes v. Williams (Ap)	Yates v. Madden (Ap)
Walsh v. Trevanion (4 causes, Ap)	Innes v. Sayer (Ap)
Price v. Berrington (3 causes, 2 Aps)	Menzies v. Connor (2 Aps)
Williamson v. Gordon (Ap)	Hickling v. Boyer (Ap)
Benyon v. Nettlefold (Ap)	Rowland v. Witherden (Ap)
Short v. Mercier (Ap)	Myers v. Perigal (Ap)
	Pearson v. Goulden (Ap)
	Pearson v. Beck (Ap)
	Pearson v. Hulme (Ap)

Pearson v. Oldham (Ap)
Watkins v. Williams } (Ap)
Havard v. Church }
Emmett v. Dewhirst (Ap)
Briggs v. Penny (Ap)
Hickman v. Hickman (Ap)
Rodick v. Gandell (Ap)
Robinson v. Geldart (Ap)
Salmon v. Dean (Ap)
Smith v. Pincombe (Ap)
Vivian v. Cochrane (Ap)
Sturge v. Sturge (Ap)
Pelly v. Wathen (Ap)
Rhodes v. Matson (Ap)
Smith v. Smith (Ap)
Kekewick v. Manning (Ap)
Attorney-Gen. v. Murdock (Ap)
Deeks v. Bell (Ap)

Toft v. Stephenson } (Ap)
Graham v. Reeves }
Smale v. Graves (Ap)
Hawkes v. Eastern Counties
Railway Co. (Ap)
Reynell v. Sprye (Ap)
Vaughan v. Vanderstegen }
Gates v. Lord Dunboyne }
Price v. Griffith (Ap)
Coope v. Carter (Ap)
Bayden v. Watson } (Ap)
Lardner v. Paine }
Hamilton v. Bankin (Ap)
Saunders v. Hamilton (Ap)
Swift v. Grazebrook (Ap)
Robinson v. Robinson (Ap)
Gaston v. Frankum (Ap)
Bell v. Rea } (Ap)
Rea v. Bell }

Before the VICE-CHANCELLOR OF ENGLAND.

PLEAS, DEMURRERS, CAUSES, EXCEPTIONS, AND FURTHER DIRECTIONS.

Robson v. Lord Brougham (E)	Oakes v. Jones (F D, C)
Greville v. Spooner	Lynne v. Pennell
Duke of Leeds v. Earl Amherst (F D, C)	Pee v. Marsh (F D, C)
West v. Jones (part heard)	Wilkinson v. Leake (F D, C)
Attorney-General v. Lambard	Mayhew v. Cannan
Ashburner v. Wilson }	Hunt v. Bohn (2 causes)
Same v. Same }	Alcock v. Kempson (3 causes)
Macbean v. Babington	Joyce v. Hopkins
Rogers v. Hale	Edgley v. Maslin
Jefferies v. Jefferies (F D, C)	Smithy v. Burrage
Fosbrooke v. Woodcock	Alpe v. Woodhouse
Swann v. Easton (F D)	Carter v. Barnard (F D, C)
Thornhill v. Manning	Knight v. Knight (2 causes)
Hayward v. Townsend	Beasley v. Wilson
Hovell v. Haworth	Eyre v. Jones (F D, C)
Uttermere v. Stevens	French v. Serle
Simmons v. Rudall (2 causes)	Peace v. Hains
Robinson v. Hedger	Raimondi v. Poyser
Briggs v. Hartley (F D, C)	Foy v. Stokes
Morritt v. Walton (F D, C)	Bridges v. Hinxman (E)
Wayne v. Lewis	Paice v. Caley
Mackinnon v. Stewart	Wood v. Dench
Ladlam v. Elliott	Forbes v. Herring (F D, C)
Newman v. Hatch	Mitchell v. Cobb
Perkins v. Ede (E)	Myers v. Watson
Hodgkinson v. Gilbert (F D, C)	Martin v. Welstead (F D, C, 4 causes)
Horridge v. Jones	Belcher v. Lockey (F D, C)
Fairhurst v. Malcolm (F D, C)	Rowe v. Naylor SA
Grimston v. Oxley	Black v. Chayton (F D, Pn)
Goode v. Waters	Pearce v. Pearce May 24
Taunton v. Green (F D, C)	Flint v. Warren (F D, C)
Heath v. Chapman	Earl of Derby v. Chamberlayne
Browne v. Paull (F D, C)	Wilson v. Wilson
Bower v. Ostler	Hatch v. Lee (F D)
Maudsley v. Hall (F D, C)	Taylor v. Reid (F D)
Geib v. Dibley	Sewell v. Murray (E)
Westbrook v. M'Kie (F D)	Perryman v. Tilbury
Langworthy v. Church	Roxburgh v. Forster
Field v. Titmuss	Hellier v. Hellier (F D, C)
Brougham v. Squire }	Ellison v. Clark SA
Same v. Witham }	Gynn v. Gilbard (3 causes)
Creswicke v. Parker (F D, C)	Waterhouse v. Trentham
Long v. Bunny (F D, C)	Nash v. Cooper SA
Sawyer v. Mills	Fagge v. Sandys
Hedges v. Ewing	Att.-Gen. v. Governors of St. Saviour's Grammar School (F D, C) SA
Attorney-Gen. v. Bodman	Wood v. Taylor }
Usher v. Mould	Same v. Lord }
Fletcher v. Fletcher	Burman v. Sturgis SA
Willis v. Black (F D, C)	Head v. Hamlin SA
Underwood v. Jee	Hewson v. Fleming SA

Before Vice-Chancellor KNIGHT BRUCE.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Bell v. Brownrigg (objection as to parties)	Spencer v. Baker }
Ritson v. Sturdy (D)	Same v. Same }
Wood v. Lyne (D)	Weaver v. Grant (F D, C)
Chorley v. Cuff (Pl)	Newman v. Clutton
Caton v. Ridout (with petition by order)	Wilkinson v. Steward
Westlake v. Bolitho	Bridger v. Wickens
Fenwick v. Fenwick	Eyton v. Mostyn
Sterry v. Clifton (equity read.)	Johnson v. Thomas }
Percival v. Caney	Simpson v. Same }
Salmon v. Cutts	Mackay v. Campbell (3 causes, F D, C)
Huben v. Thomas	Mallalieu v. Wood
Brown v. Bowden	Atterbury v. Smithson (F D, C)
Hinton v. Johnson	Bayley v. Sturgis
Freer v. Hesse	Gilbard v. Berryman
Roberts v. Edwards	Eyre v. Green (F D, C)
Burton v. White	Linskill v. Hewson (F D, C)
Chubb v. Pargeter	Garbett v. Cottell SA
Same v. Same	Harrison v. Biagood (3 causes)
Chick v. Blackmore	Parkin v. Young (2 causes)
Cookes v. Phillips	Douglas v. Douglas (15 causes, E)
Attorney-Gen. v. Rowcliffe }	Coldwell v. Holme
Same v. Sturgis }	Pearson v. Pearson SA
Allen v. Davis (2 causes)	Cooke v. Cunliffe
Smith v. Smith	Brierly v. Ward }
Harborne v. Harborne }	Same v. Hatch }
Same v. Same }	Aitkin v. Ballard (F D)
Earl of Lonsdale v. Beckett May 23	Senior v. Forbes (F D)
Auger v. Watson	Powell v. Miller SA
Adams v. Bibby	Fishwick v. Fishwick (F D)
Davies v. Davies (F D, equity reserved)	Kirby v. Hartley
Blake v. Hoggart	Humberston v. Casenove
Purchon v. Purchon	Fowler v. Holl SA
Beach v. Rowley (F D, C) May 23	Gibbon v. Fletcher June 10
	Morrison v. Hobson
	Towne v. Davis June 10
	Bass v. Wellstead (E)

Before Vice-Chancellor WIGRAM.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Marker v. Kekewich (D, part heard)	Cox v. Barnard }
Mence v. Bagster	Same v. Same }
Savory v. Savory }	Sutcliffe v. Banks (3 causes, F D, C)
Same v. Same }	North v. Morley (F D, C)
Sharp v. Taylor (F D) S O	Cotton v. Cotton (F D, C)
Downes v. Collins (E) S O	Cawood v. Thompson May 30
Odeil v. Lockett (E) S O	Long v. Eastern Union Railway Co. June 1
Toft v. Stephenson }	Jackson v. Pickering (5 causes, F D, C)
Graham v. Reeves }	Challis v. Johnson June 3
Elliott v. Lyne }	Hudson v. Dungworth (3 causes, F D, C)
Same v. Symons }	Bird v. Luckie (F D, C)
Hughes v. Godfrey }	Cawood v. Thompson
Same v. Taanton }	Timson v. Browne (F D, C)
Warner v. Warner S O	Key v. Birch
Higgins v. Frankiss	Collingridge v. Ward
Chilton v. Brough (E)	Raby v. Howard (2 causes)
Harvey v. Stracey }	Smith v. Capron (E)
Same v. Carter }	Routledge v. Gibson (F D, C)
Letts v. London Corn Exchange Co.	Walker v. Gay June 10
Beake v. Ledger	Keedwell v. Cooke June 11.
O'Brien v. Osborn	
Harrison v. Round (F D, C)	
Fallows v. Viscount Dillon	

Holls Court.

JUDGMENTS RESERVED.

Holl v. Gordon }	
Holl v. Holl }	
Thornber v. Sheard (Cause)	
Howard v. Prince }	
Same v. Stapleton (F D, C, Ptn)	
Same v. Howard }	

Att.-Gen. v. Dalton (Cause)	
Rooth v. Tomlinson	

PLEAS AND DEMURRERS.

Dean and Chapter of Ely v. Gayford S O	
Same v. Waddelow S O	

Dean and Chapter of Ely v.

Waddelow S O	
Same v. Bliss S O	
Same v. Shillito S O	
Same v. Hensley S O	
Lewis v. Baldwin (Objection for want of parties) S O	
Minn v. Stant (Objection for want of parties) S O	
Brandor v. Hall (Objection for want of parties) S O	

CAUSES.

Stourton v. Jerningham S O to present petition	
Gas Light and Coke Co. v. Symonds }	(F D, C)
Symonds v. Gas Light and Coke Co. }	S O
Stillman v. Gas Light and Coke Co. }	still after report on Exceptions
Baynton v. Hooper }	S O to amend
Baynton v. Hooper }	amend
Johnson v. Thomas S O to add parties	
Hele v. Bexley }	(E, F D, C) S O
Hele v. Bexley }	until after trial of action at law
Hele v. Bowyer }	trial of action at law
Hele v. Donovan }	trial at law
Hargrave v. Hargrave (F D, C) Mich. Term	

Langdale v. Morrison	
Coxhead v. Babb (Ptn)	
Same v. Same	
Meddowcroft v. Campbell }	(Pt. hd.)
Same v. Hughes }	
Penruddock v. Hammond	
Morgan v. Morgan }	(E, part heard)
Morgan v. Pulman }	heard
Lines v. Pulman }	S O
Ellis v. Bowman	
Biddles v. Jackson }	
Biddles v. Jackson }	
Byrne v. Norcott	
Thornton v. Knight }	(F D, C, Ptn)
Palmer v. Knight }	
Wood v. Shallard }	(F D, C)
Wood v. Shallard }	
Whicker v. Hume }	(E)
Hume v. Gilchrist }	
Lewis v. Lewis }	(F D, C)
Lewis v. Duggin }	
Biederman v. Seymour (F D, C)	
Hardey v. Hawkshaw	
Kirkman v. Mister (F D, C)	
Gresley v. Earl of Chesterfield (F D, C)	
Lautour v. Holcombe }	
Lautour v. Farquhar }	
Lautour v. Majorbanks }	(F D, C)
Lautour v. Lautour }	
Lautour v. Majorbanks }	

Creak v. Irvine	
Kewney v. Bradshaw	
Gregory v. Spencer	
Cohen v. Wilkinson	
Mount v. Mount	
Triston v. Hardy	
Duberly v. Day	
Attorney-Gen. v. Colegrave	
Mules v. Jennings	
Att.-Gen. v. Churchill }	(F D, C)
Att.-Gen. v. Churchill }	
Att.-Gen. v. Baker }	
Att.-Gen. v. Mayor of Gloucester	
Lumaden v. Morison	
Fisher v. Hepburn (F D, C)	
Godeffroy v. Morison	
Chapman v. Chapman }	
Chapman v. Pennell }	
Att.-Gen. v. Brook }	(Re-hearing)
Att.-Gen. v. Brook }	hearing
Royds v. Royds (F D, C)	
Edgley v. Lloyd	
Gooch v. Gooch }	(F D, C)
Gooch v. Clarke }	
Matthews v. Bradshaw }	(E)
Matthews v. Leyburn }	
Jenner v. Shaw (F D, C)	
Petre v. Petre (F D, C)	
Attorney-Gen. v. Newcomon	
Melson v. Kemp	
Whicker v. Hume	

Newry, Warrenpoint, & Ros-trevor Railway Co. v. Moss	
Rice v. Gordon }	
Rice v. Ayres }	
Rice v. Gordon }	(F D, C)
Carter v. Scarnett }	
Carter v. Ayres }	
Littlewood v. Webster	
Mackason v. Pope }	
Mackason v. Woolhouse }	(F D, C)
Mackason v. Stone }	
Woolhouse v. Tothill }	
Woolhouse v. Kents }	
Bather v. Kearsley }	(F D, C)
Bather v. Fraser }	
Rose v. Osborne (F D, C)	
Barker v. Thurnall }	(F D, C, Ptn)
Barker v. Graham }	
De Teissier v. De Teissier (F D, C)	
Butcher v. Knowles }	(F D, C)
Butcher v. Knowles }	
Butcher v. Knowles }	

NEW CAUSES.

Massey v. Carvick }	
Massey v. Carvick }	
Betta v. Barrow	
Bush v. Watkins	
Bell v. Jones	
Bligh v. Great Western Railway Co.	
Pennell v. Bradley (Ptn) SA	
Madeley v. Woodhouse	
Attorney-Gen. v. Campbell.	

COMMON-LAW CAUSE LISTS, TRINITY TERM, 1850.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER EASTER TERM, 1850.

FOR JUDGMENT.

Northamp.—Doe d. Hubbard v. Hubbard	
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FOR ARGUMENT.

EASTER TERM, 1848.	
Kent—Doe d. Warren & an. v. Brydges	

HILARY TERM, 1849.

Midd.—Reg. v. Smith & ors.
(standing for arrangement)
" Same v. Same
Lond.—Job v. Hudson

EASTER TERM, 1849.

Devon—Brown v. Coleridge
(standing for arrangement)
" Drew & an. v. Same
" Mayne v. Same
Lincoln—Reg. v. Betts (part heard)

Warw.—Edwards v. Knowles
Camb.—Moreton v. Tibbett
Durham—Humphries v. Brogden

York—Livingstone v. White-
ing

Essex—Doe d. Daveniah v.
Moffatt

" Leary v. Patrick

Sussex—Hurst v. Hurst

" Gates v. Gosden

Surrey—Dimes v. Petley

Worcest.—Phillipotts & ors. v.
Evers & an.

Stafford—Banks v. Baldwin

" Doe d. Sayer v.
Hutton

Salop—Griffiths v. Marcy

Monmouth—Williams & ors.
v. James

*Tried during Trinity Term,
1849.*

Midd.—Page v. More

" Johnson v. Clark

" Goodman v. Pocock

MICH. TERM, 1849.

Midd.—Chard v. Fox

" Duke of Brunswick v.
Harmer

" Morewood v. Steer

" Reg. v. Walker

" Same v. Cutts

" Farnham v. Thorne

" Malpas v. Clements

" Mann v. Walker

" Jones v. Alexander

Lond.—Job v. Job

" Hooper v. Knowles

York—Crowther v. Farrer

" Reg. v. Inhabitants of
Lordsmere

" Doe d. Witty v. Carr

" Singleton v. Bree

" Harland v. Binks

Liv'pool—Doe d. France v.
Andrews

" Mallalieu v. Hodg-
son & an.

Norfolk—Neild v. Ratcliffe

Herts—Austin v. Spear

Essex—Baker v. Bask

Kent—Williams v. Lord Be-
resford

" Becroft v. Russell

Surrey—Delfosse v. Hollis

" Hounsfield v. Curtis

" Doe d. Constable v.
Stevenson

Chester—Whalley v. Bramwell

Dorset—Bartlett v. Bullen

Cornwall—Tyacke v. Richards

" Same v. Same

Som'set—Doe d. Biddulph &
ors. v. Hole & ors.

" Melhuish v. Collier

Stafford—Smith v. Archibald

Brecon—Williams v. Morgan

*Tried during Mich. Term,
1849.*

Midd.—Hales v. Ferminger

HILARY TERM, 1850.

Midd.—Trail & an. v. Grey

" Blanchard v. Ripley

" Lloyd v. Howard

" Wolton v. Gavin

Lond.—Galvanised Iron Co.
v. Ogier

" Barker v. Goddard

" Campbell v. Hewlett

Lond.—Miller v. Alexander

*Tried during Hilary Term,
1850.*

Midd.—Hay v. Ayling

EASTER TERM, 1850.

Midd.—Agriculturist Cattle
Insurance Co. v.
Fitzgerald

" Mullett v. Challis

" Woodhead v. Berry

" Taylor v. Hawkins

Lond.—Governor and Co. of
Copper Mines in
England v. Fox

" Griffiths v. Hicks

" Austen v. Manchester,
Sheffield, and Lin-
colnshire Railw. Co.

" Husband v. Cattlin

Lincoln—Prichard v. Mullins

" Nodin v. Johnson

Coventry—Doe d. Campton v.
H. Carpenter

" Same v. W. Car-
penter

" Same v. I. Car-
penter

Warwick—Wakefield v. Dixon

Berks—Rogers v. Driver

Stafford—Armitstead v. North
Staffordshire Rail-
way Co.

" Doe d. Armitstead
v. Same

Oxford—Barton v. Bricknell

Bucks—Reg. v. Inhabitants of
Turweston

Suffolk—Staines v. Eastern
Union & Hadleigh
Junction Railway
Co.

Norfolk—Doe d. Hastings v.
Waters

Devon—Pearson v. Underhill

Kent—Mayor &c. of Roches-
ter v. Lee

" Roberts v. Hunt

" Couchman v. Ward

Surrey—Bottomley v. Smith

" Thompson v. Nye

" Elliott v. Clayton

" Godfree v. Lewellin

York—Bishop v. Cook & ors.

Liv'pool—Fielder v. Fielding

Northum.—Strong v. Gadsden

Cardigan—Davies v. Williams

*Tried during Easter Term,
1850.*

Lond.—Gilbertson v. Joseph

SPECIAL CASES AND DEMURRERS

FOR TRINITY TERM, 1850.

Those marked thus * are Special Cases—the rest are Demurrs.

STANDING FOR JUDGMENT.

Adams v. Andrews

Cook v. Field

*Knight & ors. v. Faith & an.

*Toller v. Attwood

Morris v. Walker

Chabot v. Lord Morpeth & ors.

FOR ARGUMENT.

West Cornwall Railway Co.
v. Mowatt (Sp. Verd.)

*Sanderson & ors. v. Dobson
& ors. (postponed till Mich.
Term)

Keyse v. Powell

*Rose v. Dry & an.

Parkes v. Smith

Davies v. Cary

Railston v. York, Newcastle,
and Berwick Railway Co.

Wagstaffe v. Booth

Berry v. Huxtable & an.

Gallard v. Gilchrist

*Scattergood v. Sylvester

Reynell & an. v. Lane

*Daniel v. Morton

*Walsh & an. v. Trevanion &
Wife & ors.

Bainbridge v. Wade

Pim v. Wilson

Doe d. Blagrove v. Stephens &
an. (Sp. Verd.)

North American Colonial As-
sociation of Ireland v. Bent-
ley

Hayward v. Albony

Day v. Smith

Walker v. Clements

*Thompson & an. v. Whitley

*Jackson & ors. v. Charing-
cross-bridge Co.

Longbourne v. Chadwick

Doe d. Evers & Wife & ors. v.
Challis (Sp. Verd.)

Marsden & an. v. M'Lean

Rochdale Canal Co. v. Walm-
ley

*Walton v. Holt

Evans v. George

Mudford v. Lowe & ors.

Trotter v. York, Newcastle,
and Berwick Railway Co.

Crow v. General Commission
Ship Loan and Insurance Co.

Leeming & an. v. Smith

Worsley & an. v. South Devon
Railway Co.

Collier v. South-eastern Rail-
way Co.

West v. Jackson & an.

Waterford, Wexford, Wick-
low, and Dublin Railway
Co. v. Logan

West v. Jackson (arrest of
judgment)

Francis & an. v. Bailey

Perkins v. Tidd

Backhouse v. Coulthard

Griffiths v. Fenton

Gallini v. Earl of Courtown

Bank of Australasia v. Nis

*Tarleton v. Siddell & an.

Bank of Australasia v. Ros

ENLARGED RULES

FOR TRINITY TERM, 1850.

Those marked thus * are to be heard in the Bail Court.

First Day.

In re Westminster Improve-
ment Commissioners, and
Churchwardens &c. of St.
Margaret & St. John, West-
minster

*Caudwell v. Mostyn & ors.

Clegg & ors. v. Dearden

*In re Wright & an. and
Cromford Canal Co.

Richards & ors. v. Tynte

Carter & an. v. Chignell

*Mackenzie v. Sligo and Shan-
non Railway Co.

Doe d. Davies v. Davies

Reg. v. Rowlands

*Same v. Egginton & an.

*Same v. Fairbank & an.

*Same v. Twytritt

Second Day.
*Doe d. Warner v. Young

*In re Lindsay and Direct
London and Portsmouth
Railway Co.

Cooling v. Great Northern
Railway Co.

*In re Sunderland Dock Co.

*Witmer v. Lewis & an.

*In re Oldfield

In re Lloyd

*In re Richardson and Sellar

*Ashley v. Brown

*Reg. v. Recorder of Liverpool

Same v. Copper Miners Co.

Same v. Manchester, Sheffield,
and Lincolnshire Railw. Co.

Same v. Norfolk Railway Co.

Fourth Day.

In re Hall

*Owen v. Owen

*Daniels v. Ellaby

CROWN PAPER, TRINITY TERM, 1850.

Cumberland .. Reg. v. Caledonian Railway Co.

Nottinghamshire .. Midland Railway Co.

Yorkshire Godfrey & ors.

Same Same.

Middlesex Inhabitants of St. Marylebone.

Yorkshire Tithe Commissioners of England and
Wales.

Same Same.

Merionethshire Owen.

Cheshire Dean and Chapter of Chester.

Yorkshire	Reg. v. Commissioners of Improvement of High and Low Harrogate.
Warwickshire..	— Birmingham and Oxford Junction Railway Co.
Durham	— Guardians of Teesdale Union and Inhabitants of Cothelstone.
Middlesex	— Betts & an.
Norfolk	— Commissioners of Sewers.
Staffordshire..	— Willim & an., Churchwds. of Bilston.
Same	— Inhabitants of Brecon.

Court of Common Pleas.**NEW TRIALS.**

MICHAELMAS TERM, 1848.	Lond.—Electric Telegraph Co. v. Brett & an. (for 2nd day of term)
Surrey—Hamilton v. Cochran (To stand over, parties in course of arranging).	" Chubb v. Marshall
HILARY TERM, 1850.	" Cannan v. Hartley
Midd.—Burrell v. Ball	" Laycock v. Pickaley
EASTER TERM, 1850.	York—Fothergill v. Todd
Midd.—Hudspeth v. Yarnold	

ENLARGED RULES.

<i>First Day.</i>	<i>Third Day.</i>
Waterfall v. Chappell	Reg. v. Sheriff of Leicester, in Arden v. Bingham
Moss v. Smith	

DEMURRER PAPER.

<i>Wednesday, May 29.</i>	Ackroyd v. Smith
Robinson v. Marquis of Bristol	Watson v. Eastern Union Railway Co.
Kepp v. Wiggett	Phelps v. Prothero
Bank of Australasia v. Harding	Phillips v. Surridge
Sharland v. Leifchild	Kingsford v. Dutton
Dean of Christchurch, Oxford, v. Hill	Serrell v. Derbyshire and Staffordshire Railway Co.
Shaen v. Eastern Union Railway Co.	Portman v. Flood
Same v. Same	Williams v. Gray
Temple v. Sligh	<i>Friday, May 31.</i>
Yates v. Hill	Williams v. Mounansell
Buttigieg v. Booker	Pallister v. Mayor of Gravesend

CUR. ADV. VULT.

Somerville v. Hawkins	Callander v. Howard
Jones v. Broadhurst	Wetherell v. Julius
Newton v. Chaplin	Mavety v. Beveridge
Mayor &c. of London v. Par- tington	Elves v. Crofts
	Same v. Same
Hillicot v. Archbishop of Canterbury	Doe d. Prior v. Ongley

Court of Exchequer.**SITTINGS—TRINITY TERM, 1850.**

	<i>Base.</i>	<i>Nisi Prius.</i>
<i>Wednesd., May 22</i>	Motions and Peremptory Paper	.....
<i>Thursday</i>	Peremptory Paper and Motions	.....
<i>Friday .....</i>	.....	Midd. 1st Sitting
<i>Saturday .....</i>	.....	.....
<i>Sunday</i>	Demurrers	.....
<i>Monday .....</i>	.....	.....
<i>Tuesday .....</i>	.....	.....
<i>Wednesday</i>	Special Cases	London 1st Sitting
<i>Thursday</i>	Circuits Chosen	Midd. 2nd Sitting
<i>Friday</i>	Demurrers	.....
<i>Saturday .. June 1</i>	Crown Cases	.....
<i>Sunday</i>	Special Cases.	.....
<i>Monday</i>	Errors	.....
<i>Tuesday</i>	Demurrers	London 2nd Sitting
<i>Wednesday .....</i>	.....	Midd. 3rd Sitting
<i>Thursday</i>	Special Cases	.....
<i>Friday .....</i>	.....	.....
<i>Saturday .....</i>	.....	.....
<i>Sunday .....</i>	.....	.....
<i>Monday .....</i>	.....	.....
<i>Tuesday .....</i>	.....	.....
<i>Wednesday .....</i>	.....	.....

NEW TRIALS.

FOR ARGUMENT.	Lincoln—Thompson v. York
<i>Moved Mich. Term, 1849.</i>	Same v. Acocks
Liv'pool—Bell v. Earl Talbot	Coventry—Jeffries v. Williams
<i>Moved Hilary Term, 1850.</i>	Warwick—Richardson v. Woraley
Lond.—Hunter v. Spence	Lanc.—Hargraves v. Trappes
" Same v. Same	York—Newbould v. Coltman
" Davis v. Hewlett	" Buckley v. Barber
<i>Moved after the 4th Day of Hilary Term, 1850.</i>	" Reimer v. Ringrose
Midd.—Boner v. Mitchell	" Hellawell v. Eastwood
" Moseley v. Houghton	" Faulding v. Walker
Wilson v. Ashley	Liv'pool—Archer v. Baynes
Lond.—Cranston v. Marshall	" Malcolm v. Scott
<i>Moved Easter Term, 1850.</i>	" South Staffordshire Railway Co. v. Burnside
Midd.—Fowler v. Drake	" Parkinson v. White
" Diggle v. London and Blackwall Railway Co.	" Cooper v. Black- well
" Burkinshaw v. Bir- mingham and Ox- ford Railway Co.	Stafford—Brookes v. Tich- borne
" Southee v. Loader	Kingston—Lowe v. Ross
" Ibbetson v. Dobson	" Macrory v. Scott
" Neale v. Remnant	Chester—Birkenhead & Lan- cashire & Cheshire Junction Railway Co. v. Pilcher
" Bull v. Ranken	" Powell v. Hoyland
" Ambergate, Notting- ham & Boston & Eastern Junction Railway Co. v. Coulthard	Exeter—Baker v. Heard
" Same v. Mitchell	Swansea—Turner v. Cameron's Colebrook Steam- coal and Swansea Railway Co.
" Henderson v. Moore	Presteign—Muirhead v. Evans
Lond.—Edwards v. Morris	
" Tarte v. Barnes	<i>Moved after the 4th Day of Easter Term, 1850.</i>
" Story v. Fennis	Midd.—Glen v. Evans
Bury St. Ed.—Eastern Coun- ties Railway Co. v. Sy- monds	" Litchfield v. Ready

PEREMPTORY PAPER.

*To be called on the first Day of Term after the Motions,
and to be proceeded with the next Day, if necessary, before
the Motions.*

Powles v. Hargreaves	Sangster v. Kay
Doe d. Baker v. Jones	Hill v. Fletcher
Pinhivil v. Connell	Graham v. Connell
Glenie v. Delmar	

SPECIAL PAPER.**SPECIAL CASES.**

FOR ARGUMENT.	Doe d. Lowe v. Lowe
Vincent v. Bishop of Sodor and Man	Att.-Gen. v. Great Western Railway Co.
Doe d. Dean and Chapter of St. Peter, Exeter, v. Phelps	Brownrigg v. Rae
Jacques v. Fauntleroy	Washington v. Young
Wilson v. Eden	Hanslip v. Padwick
	O'Brien v. Kenyon

DEMURRERS.

FOR ARGUMENT.	Ross v. Norman
Embrey v. Owen	Turner v. Turner
Mead v. Bashford	Turner v. Hine.

The Queen has been pleased to appoint Sir John Jervis, Knt., her Majesty's Attorney-General; Samuel Martin, Esq., one of her Majesty's Counsel; William Henry Walton, Esq., Barrister at Law, and one of the Masters of her Majesty's Court of Exchequer; George William Bramwell, Esq., Barrister at Law; and James Shaw Willea, Esq., Barrister at Law, to be her Majesty's Commissioners for inquiring into the process, practice, and system of pleading in the Superior Courts of Law at Westminster and on Circuit.

London Gazette.

TUESDAY, MAY 21.

BANKRUPTS.

ALFRED ALLEN SUTTERBY, Stoke Ferry, Norfolk, grocer, draper, dealer and chapman, June 3 at 2, and July 6 at 1, Court of Bankruptcy, London; Off. Ass. Graham; Sols. Abbott & Co., 8, New-inn, London; Watson, Wisbeach.—Petition dated May 17.

JOHN TAYLOR, High-street, Shadwell, and Salmon's-lane, Limehouse, Middlesex, cheesemonger, May 27 at 2, and June 6 at half-past 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Stoddart, 6, Raquet-court, Fleet-street.—Petition dated May 14.

JAMES URRY, Landport, Portsea, Hampshire, brewer, beer retailer, grocer, and baker, dealer and chapman, May 28 at 1, and June 29 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Low, 65, Chancery-lane.—Petition dated May 16.

EDWARD DURRANT BUSH, Piccadilly, Middlesex, coachbuilder and harnessmaker, dealer and chapman, May 28 at half-past 1, and June 29 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Linklater, Charlotte-row, Mansion-house.—Petition filed April 13.

JAMES WOOLNOUGH, otherwise JAMES LEMAN WOOLNOUGH, Chediston, Suffolk, cattle dealer, May 31 at 2, and June 28 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Baas, Halesworth, Suffolk; White & Borrett, 35, Lincoln's-inn-fields.—Petition dated May 9.

GEORGE BURNETT ABSALOM, Portsmouth, Southampton, coal merchant, dealer and chapman, June 3 at 12, and July 5 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Devereux, Portsmouth; Watson & Sons, 12, Bouverie-street, Fleet-street.—Petition dated May 18.

WILLIAM MAILES, Woolhope, Herefordshire, bark merchant and commission agent, dealer and chapman, May 30 and June 25 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Smith & James, Birmingham.—Petition dated May 9.

THOMAS BAILEY, Gloucester, saddler and harnessmaker, dealer and chapman, June 5 at 12, and July 3 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Wilkes, Gloucester.—Petition filed May 16.

THOMAS HARFOOT, Plymouth, Devonshire, mercer and tailor, dealer and chapman, June 4 at 1, and July 11 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sol. Stogdon, Exeter.—Petition filed May 17.

MEETINGS.

Jonathan Higginson and Richard Deane, Liverpool, merchants, June 7 at 11, District Court of Bankruptcy, Liverpool, pr. d.—Wm. Rees and Evan Roberts, Liverpool, joiners, June 3 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—John Spicer, Barking, Essex, blacksmith, June 3 at half-past 11, Court of Bankruptcy, London, aud. ac.—R. K. Frankish, Scarborough, Yorkshire, joiner, June 3 at 11, District Court of Bankruptcy, Leeds, aud. ac.; June 11 at 11, div.—Charles Pritchard, Hereford, wine merchant, June 11 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—Joseph Skelford, Standon, Hertfordshire, butcher, June 11 at 2, Court of Bankruptcy, London, div.—George Stone, Colchester, Essex, grocer, June 11 at half-past 1, Court of Bankruptcy, London, div.—John Sydenham, Poole, Dorsetshire, printer, June 11 at 12, Court of Bankruptcy, London, div.—Edward Wolsey, Wretham, Norfolk, corn merchant, June 11 at 1, Court of Bankruptcy, London, div.—Walter Yonge, Strand, Middlesex, watchmaker, June 13 at half-past 11, Court of Bankruptcy, London, div.—Joseph I. Winstanley, King William-street, London, hosier, June 7 at 1, Court of Bankruptcy, London, div.—William Chittenden, Tarlington-place, and Church-street, Paddington, Middlesex, draper, June 11 at half-past 11, Court of Bankruptcy, London, div.—James Barr, New Turnstile, High Holborn, and Old-road, St. Pancras, Middlesex, builder, June 13 at half-past 12, Court of Bankruptcy, London, div.—Alaric Alex. Watts, Berners-street, Middlesex, printer, June 13 at half-past 11, Court of Bankruptcy, London, div.—Wm. Willis, Trowbridge, Wiltshire, wool broker, June 13 at 1, Court of Bankruptcy, Lon-

don, div.—Joseph W. Dyer, Myddleton-street, Clerkenwell, Middlesex, cheesemonger, June 11 at 11, Court of Bankruptcy, London, div.—Thomas Johnston and Wm. Beera, Henrietta-street, Westminster, Middlesex, tailors, June 11 at half-past 11, Court of Bankruptcy, London, div.—John B. Balcombe, Cannon-street, London, sharebroker, June 11 at 1, Court of Bankruptcy, London, div.—John Morant Hervey, Brick-lane, Old-street, St. Luke's, Middlesex, ironfounder, June 11 at 1, Court of Bankruptcy, London, fin. div.—Chas. Vyse, Ludgate-st., London, straw-bonnet maker, June 11 at 2, Court of Bankruptcy, London, fin. div.—John Jones the younger and Thos. Oakes, Kingswinford, Staffordshire, ironmasters, June 12 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on before the Day of Meeting.

William Sheward, Norwich, pawnbroker, June 12 at 12, Court of Bankruptcy, London.—John Worseldine, Cambridge, upholsterer, June 12 at 1, Court of Bankruptcy, London.—Wm. M. Hartridge, Woodbridge, Suffolk, grocer, June 13 at 11, Court of Bankruptcy, London.—Daniel Holtum the elder and Daniel Holtum the younger, Westbeere, near Canterbury, Kent, carpenters, June 13 at 11, Court of Bankruptcy, London.—James Wigg Hickling, Montagu-close, Southwark, Surrey, wharfinger, June 13 at 11, Court of Bankruptcy, London.—Robert Potter Croft, Brompton and Haymarket, Middlesex, tavern keeper, June 12 at 11, Court of Bankruptcy, London.—William Pownall, Macclesfield, Cheshire, silk manufacturer, June 11 at 12, Court of Bankruptcy, London.—Joseph Jardine, Dartford, Kent, linen-draper, June 11 at 12, Court of Bankruptcy, London.—Wm. H. Swinson, South-street, Finsbury, Middlesex, merchant, June 11 at 11, Court of Bankruptcy, London.—Thos. Lewis, Exeter, shoemaker, June 12 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Jabez Church, Deptford, Kent, coke manufacturer.—J. Head, St. Peter's-terrace, Hammersmith, Middlesex, attorney at law.—Henry Newson, Norwich, grocer.—C. Barnett, Basinghall-st., London, account-book manufacturer.—John Gouldsbrough, Manchester, manufacturer.—Hugh Perry, Abergeldy, Denbighshire, druggist.—John Price, Birmingham, cabinet maker.

PETITION ANNULLED.

Wm. George Ceeley, Cotton-st., Poplar, Middlesex, licensed carman and omnibus proprietor.

SCOTCH SEQUESTRATIONS.

Patrick B. Cunningham, Edinburgh, surgeon.—Walter B. Walker, Edinburgh, merchant.—Robert Kerr & Co., Glasgow, cotton spinners.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Herbert Pearce, Duckmanton, near Chesterfield, Derbyshire, out of business, June 12 at 11, County Court of Derbyshire, at Chesterfield.—John White, Manchester, toll contractor, June 12 at 11, County Court of Derbyshire, at Chesterfield.—Richard Harper, Birmingham, leatherseller, May 27 at 2, County Court of Warwickshire, at Birmingham.—John M. Dew, Plymouth, Devonshire, clothier, Aug. 15 at 11, County Court of Devonshire, at Plymouth.—Wm. R. Dunsell, St. Thomas the Apostle, Devonshire, draper, June 8 at 10, County Court of Devonshire, at Exeter.—John Eiston, Exeter, turncock to the Exeter Water Company, June 8 at 10, County Court of Devonshire, at Exeter.—Richard Johnson, Reading, Berkshire, confectioner, June 6 at 10, County Court of Berkshire, at Reading.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 4 at 11, before Mr. Commissioner HARRIS.

John Wm. Jas. Davies, Great Queen-st. and Duke-street,

Lincoln's-inn-fields, Middlesex, bootmaker.—*Richard Lilly-white*, Gillingham-street, Belgrave-road, Pimlico, Middlesex, milkman.—*David De Caus*, Millpond-bridge, Paradise-st., Rotherhithe, Surrey, shoemaker.

June 5 at 11, before the CHIEF COMMISSIONER.

Wm. Childs, Crown-place, Aldgate High-street, London, gardener.—*John Pearl*, Whitton, Twickenham, Middlesex, smith.—*John Hyatt*, Hawley-place, Belvedere-road, Lambeth, Surrey, lighterman.

June 5 at 11, before Mr. Commissioner LAW.

George Gardiner Spencer, Island-row, Commercial-road East, Middlesex, builder.

Saturday, May 18.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Charles Percival, Murray-st., Hoxton, Middlesex, clerk to an accountant, No. 61,192 T.; *Alfred Gray*, assignee.—*Wm. Harnett*, Eden Minster, near Ramsgate, Kent, farmer, No. 61,360 T.; *Herman Dirs Mertens*, assignee.—*James Long-streeth*, Fetter-lane, Holborn, London, eating-house keeper, No. 61,492 T.; *John Wilson Carr*, assignee.—*Edward Day*, Newport, Monmouthshire, innkeeper, No. 72,089 C.; *George Masters*, assignee.—*Henry Day*, Newport, Monmouthshire, innkeeper, No. 72,090 C.; *George Masters*, assignee.—*Geo. Parsons*, Sheffield, Yorkshire, innkeeper, No. 72,204 C.; *H. Boden*, assignee.—*Warwick Guy*, Endellion, Cornwall, farmer, No. 72,287 C.; *John Wilce*, assignee.

Saturday, May 18.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Samuel Grenville Fletcher, Victoria-terrace, Hammer-smith, Middlesex, newspaper proprietor: in the Queen's Prison.—*Charles Merit Rigg*, Spring-terrace, Wandsworth-road, Surrey, doctor of medicine: in the Queen's Prison.—*J. Meekins*, Prospect Dairy, Wandsworth-road, Surrey, cow-keeper: in the Gaol of Horse-monger-lane.—*Michael Dillon Fitzgerald*, High-st., St. Giles's, Middlesex, surgeon: in the Debtors Prison for London and Middlesex.—*Joseph Harrison Kimberley*, Harley-mews North, Harley-street, Cavendish-square, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Thos. Peck* the elder, Rahere-st., Goswell-st., Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*Thomas Edmeades*, Lucas-street, Back-road, St. George's-in-the-East, Middlesex, common brewer: in the Debtors Prison for London and Middlesex.—*Hilaire Noujaret*, Skinner's-place, Leadenhall-market, London, poulterer: in the Debtors Prison for London and Middlesex.—*Samuel Wood Graves*, Elizabeth-street, Eaton-square, Pimlico, Middlesex, in no business: in the Debtors Prison for London and Middlesex.—*Joseph Philip Press*, Church-st., Hackney, Middlesex, draper: in the Debtors Prison for London and Middlesex.—*John Cogen Francis*, Ely-place, Holborn, Middlesex, general agent: in the Debtors Prison for London and Middlesex.—*Thos. Beaumont*, Lower-mall, Bridge-road, Hammer-smith, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Henry Gibbs Bath*, Wimbourn-st., New North-road, Hoxton, Middlesex, painter: in the Debtors Prison for London and Middlesex.—*Wm. Rossie*, Blackfriars-road, Surrey, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*Henry Keene*, Olliff-place, Camden-town, Middlesex, licensed victualler: in the Queen's Prison.—*Francis Colley*, Barnaley, Yorkshire, shoemaker: in the Gaol of York.—*Thomas Davidson*, Chester, clerk to a railway company: in the Gaol of Chester.—*Wm. Hook* the elder, Minster, Isle of Sheppy, Kent, farmer: in the Gaol of Maidstone.—*John Newton*, Bristol, grocer: in the Gaol of Bristol.—*Samuel Simco*, Northampton, druggist: in the Gaol of Northampton.—*Thomas Smith*, Bishopwearmouth, Durham, tailor: in the Gaol of Durham.—*John Kistlingbury*, East Ilale, Berkshire, plumber: in the Gaol of Reading.—*Job Davies*, Glebe-land, Merthyr Tydvil, Glamorganshire, greengrocer: in the Gaol of Cardiff.—*James Downing* the younger, Sea, near Ilminster, Somersetshire, carrier: in the Gaol of Wilton.—*Rich. Picton Glynn*, New Brighton, Cheshire, broker: in the Castle

of Chester.—*Robert Stevenson*, Horton, Buckinghamshire, farmer: in the Gaol of Reading.—*John Waller*, Macclesfield, Cheshire, licensed victualler: in the Gaol of Chester.—*Frederick Binge*, East Walcot, Bath, furniture dealer: in the Gaol of Wilton.—*Chas. Cogswell*, Wotton-under-Edge, Gloucestershire, saddler, in the Gaol of Gloucester.—*Isaac Paine*, Arlingham, Gloucestershire, labourer: in the Gaol of Gloucester.—*George Small* the younger, Greenhill Farm, Herne, Kent, farm bailiff: in the Gaol of Maidstone.—*Wm. Tester* the younger, Mount Sion, Tunbridge Wells, Kent, carpenter: in the Gaol of Maidstone.—*John Chestham*, Aston, Warwickshire, carpenter: in the Gaol of Stafford.—*John Davies*, Easley, Herefordshire, farmer: in the Gaol of Hereford.—*James Elmer*, Great Yarmouth, Norfolk, accountant: in the Gaol of Great Yarmouth.—*Thomas Greenwood*, Reading, Berkshire, hatter: in the Gaol of Reading.—*Joseph Parsons*, Birmingham, licensed victualler: in the Gaol of Coventry.—*Charles Farrer*, Norton, near Malton, Yorkshire, trainer: in York Castle.—*John Mann*, Horfield, Gloucestershire, picture-frame maker: in the Gaol of Bristol.—*John Root*, Monk Bretton, near Barnsley, Yorkshire, farmer: in York Castle.—*Josiah Jones*, Cefubettinga, Llangafllach, Glamorganshire, farmer: in the Gaol of Cardiff.—*Benjamin Lockwood*, Sheffield, Yorkshire, flour dealer: in York Castle.—*John Williams*, Liverpool, master mariner: in Lancaster Castle.—*John Braddock*, Chorlton-upon-Medlock, Manchester, hairdresser: in Lancaster Castle.—*Richard Collier*, Liverpool, painter: in Lancaster Castle.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 5 at 10, before Mr. Commissioner LAW.

John Frederick Munchs, Hunter-street, Dover-road, Southwark, Surrey, tailor.

June 6 at 11, before the CHIEF COMMISSIONER.

Shepherd Simpson, North Audley-street, Hanover-square, Middlesex, shopman to a cheesemonger.—*John Oliver*, Remington-street, City-road, Middlesex, foreman to upholsterers.—*Frederick Shouler*, Alfred-row, Shepherd's-bush, Middlesex, clerk to a coal merchant.

June 6 at 11, before Mr. Commissioner PHILLIPS.

George Spry, Liverpool-street, Battle-bridge, Middlesex, surgeon.—*William Forrester Bray* the elder, Southampton-row, Russell-square, Middlesex, surveyor.—*Michael Dillon Fitzgerald*, High-street, St. Giles's, Middlesex, surgeon.—*Michael Solomon*, Middle Queen's-buildings, Brompton, Middlesex, salesman to a potato dealer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hertfordshire, at HERTFORD, May 30.

William Harris, Wheathampstead, miller.—*Wm. Thomas*, Chipping Barnet, commercial traveller.

At the County Court of Yorkshire, at SHEFFIELD, June 5.

Mary Evinson, widow, Sheffield, innkeeper.

At the County Court of Berkshire, at READING, June 6.

Thomas Greenwood, Reading, in no business.

At the County Court of Kent, at MAIDSTONE, June 4.

John Cleaver, Sittingbourne, commission agent.—*Joseph Sloper*, Gravesend, grocer.—*William Hook* the elder, Minster, Isle of Sheppy, out of business.—*George Small* the younger, Herne, bailiff.—*Wm. Tester* the younger, Tunbridge Wells, carpenter.

At the County Court of Herefordshire, at HEREFORD, June 13 at 10.

James Griffiths, Barton, milkman.

INSOLVENT DEBTORS' DIVIDENDS.

Thomas Loveridge, Bulley, Gloucestershire, retailer of beer: 2s. in the pound.—*William Campbell*, Brook-place, Tottenham, Middlesex, blindmaker: 3s. 6½d. in the pound.—*George Rose*, High-street, Bromley, Kent, tailor: 1s. 5½d. in the pound.—*Charles Dore*, Austin-friars, London, clerk to an insurance broker: 2s. 6d. in the pound.—*Richard Lewis*, Tra-

falgar-square, Stepney, Middlesex, clerk in the Custom-house: 2s. 0½d. in the pound.—*William Martinson*, Davies-street, Berkeley-square, Middlesex, wheelwright: 2s. 6d. in the pound.—*John Lewes*, Narberth, Pembrokeshire, attorney-at-law: 3s. 7½d. in the pound.—*Stephen Edward Stapleton*, Road-side North, Mile-end-road, Middlesex, tinplate worker: 1s. 7½d. in the pound.—*Frederick Dover*, Claremont-terrace, Prince of Wales-road, Kentish-town, Middlesex, surgeon: 1s. 7½d. in the pound.—*William Loveland*, St. John's-wood-terrace, Portland-town, Middlesex, dealer in china: 3s. 4½d. in the pound.—*Albert Lowe*, Copthall-court, Throgmorton-street, London, optician: 2s. 1d. in the pound.—*William Henry Stray*, Lambeth-walk, Lambeth, Surrey, hatter: 1s. 2½d. in the pound.—*Anne Butler*, St. Peter's-square, Hammersmith, Middlesex: 20s. in the pound.—*Bryon Dumas*, Liverpool, tide-waiter in the customs: 7s. 2½d. in the pound.—*William Dayley*, John-street, Adelphi, Middlesex, architect: 1s. 1½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 5.

FRIDAY, MAY 24.

BANKRUPTS.

WILLIAM CARMALT, Romsey, Southampton, baker and confectioner, June 5 and 28 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Bower & Son, Chancery-lane, London.—Petition filed May 22.

EDWARD PARKES, Canterbury, Kent, shoe manufacturer, June 5 and 28 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrence & Flews, 14, Old Jewry-chambers, London.—Petition filed May 14.

JOHN TOMLIN, Finchley-common, Middlesex, licensed victualler, May 30 and July 13 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Martineau & Read, 2, Raymond-buildings, Gray's-inn.—Petition filed May 22.

WILLIAM EELBY, Hornepath, Oxfordshire, butcher, June 15 at 2, and July 11 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Nichols & Doyle, 48, Bedford-row.—Petition dated May 23.

JAMES WELCH, Westbury, Wiltshire, innkeeper, dealer and chapman, June 4 at 1, and July 2 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Wills & Burridge, Shaftesbury, Wiltshire; Tilson & Co., 29, Coleman-st.—Petition filed May 13.

WILLIAM VARNAM, Istock, Leicestershire, draper, dealer and chapman, June 10 and July 8 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Dabbs, Atherstone; Hodgson, Birmingham.—Petition dated May 18.

WILLIAM THREEFALL, Addingham, Yorkshire, cotton spinner, June 4 and 25 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Simpson, Leeds; Middleton, Leeds.—Petition dated May 15.

WILLIAM HAGUE, Shudehill, Manchester, smallware dealer, June 10 and July 1 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Attkins, Manchester.—Petition filed May 18.

WILLIAM MEADOWCROFT, Rochdale, Lancashire, cotton spinner, (surviving partner of Charles Butterworth, deceased, afterwards of Margaret Butterworth, deceased, and subsequently surviving partner of John Butterworth, deceased, trading under the firm of Meadowcroft & Butterworth), June 13 and July 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Atkinson & Co., Manchester.—Petition filed May 18.

WALTER BATES, South Shields, Durham, builder, June 4 at 11, and July 4 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Medcalf, North Shields; Brignal, Durham.—Petition filed May 16.

MEETINGS.

Wm. Crofts, Strand, Middlesex, hotel keeper, June 6 at 11, Court of Bankruptcy, London, ch. ass.—*Edw. Steward*, Boughton, Norfolk, corn merchant, June 6 at half-past 1, Court of Bankruptcy, London, last ex.—*W. Hyams*, Fortsea, and Node-hill, Newport, Isle of Wight, Hampshire, hardwareman, June 6 at 2, Court of Bankruptcy, London, last ex.—*Thomas Gardiner*, Holt, Worcestershire, hotel keeper, June 3 at 11, District Court of Bankruptcy, Birmingham, last ex.—*J. L. Whinstanley*, King William-st., London, bookseller,

June 6 at 12, Court of Bankruptcy, London, and ac.; June 14 at 1, div.—*Wm. Chittenden*, Turlington-place, and Church-st., Paddington, Middlesex, draper, June 8 at 11, Court of Bankruptcy, London, and ac.—*Zechariah Richard Catchpole*, Upper Lisson-street, Lisson-grove, St. Marylebone, and Cable-street, Wellclose-square, Ratcliffe-highway, St. George-in-the-East, Middlesex, cheesemonger, June 6 at 11, Court of Bankruptcy, London, and ac.—*James Patching*, Henfield, Sussex, brewer, June 13 at half-past 1, Court of Bankruptcy, London, and ac.; June 21 at half-past 1, div.—*Charles Christie*, Vauxhall-walk and Broad-street, Lambeth, Surrey, timber merchant, June 13 at half-past 1, Court of Bankruptcy, London, and ac.; June 21 at 2, div.—*Robert Godmark* the younger, Crosby-row, Walworth-road, Surrey, grocer, June 12 at 12, Court of Bankruptcy, London, and ac.—*William Ellison*, Stainsby-road, Poplar, Middlesex, builder, June 12 at 11, Court of Bankruptcy, London, and ac.—*Michael Cowles*, Nine-elms, Vauxhall, and York-road, Lambeth, Surrey, livery-stable keeper, June 7 at 11, Court of Bankruptcy, London, and ac.—*Joseph Ford*, Richmond, Surrey, licensed victualler, June 7 at 11, Court of Bankruptcy, London, and ac.—*William Henry Swinton*, South-street, Finsbury, Middlesex, merchant, June 11 at 11, Court of Bankruptcy, London, and ac.—*Robert Dodd*, Sharnes, Kent, builder, June 6 at 1, Court of Bankruptcy, London, and ac.—*Joseph Jardine*, Dartford, Kent, linendraper, June 11 at 12, Court of Bankruptcy, London, and ac.—*Samuel Isaacs*, Bristol, jeweller, June 14 at 11, District Court of Bankruptcy, Bristol, and ac.—*Charles Turk*, Stow-on-the-Wold, Gloucestershire, innholder, June 7 at 11, District Court of Bankruptcy, Bristol, and ac.—*George Mathias*, Glastonbury, Somersetshire, scrivener, June 14 at 11, District Court of Bankruptcy, Bristol, and ac.—*William Randall*, Bath, Somersetshire, shoemaker, June 14 at 11, District Court of Bankruptcy, Bristol, and ac.; June 19 at 11, div.—*Louis Bernard Choffin*, Bristol, and Bath, Somersetshire, bookseller, June 6 at 11, District Court of Bankruptcy, Bristol, and ac.—*William Greenup* senior, Eccleston, Prescott, Lancashire, coal proprietor, June 10 at 11, District Court of Bankruptcy, Liverpool, and ac.; June 18 at 11, div.—*James Wilson Jeffries* and *John Meek*, Liverpool, merchants, June 1 at 11, District Court of Bankruptcy, Liverpool, and ac.; June 11 at 11, div.—*T. Carter*, Preston, Lancashire, corn merchant, June 7 at 12, District Court of Bankruptcy, Manchester, and ac.—*H. A. Ball*, Manchester, sharebroker, June 6 at 11, District Court of Bankruptcy, Manchester, and ac.—*John Bower*, *Joseph Bowers*, and *Sarah Ann Bowers*, Worcester, grocers, June 3 at half-past 10, District Court of Bankruptcy, Birmingham, and ac.—*J. Chawner*, Kenilworth, Warwickshire, grocer, June 17 at 10, District Court of Bankruptcy, Birmingham, and ac.—*S. Hygnett*, Houlston, and Middle, Shropshire, maltster, June 11 at 12, District Court of Bankruptcy, Birmingham, and ac.; June 19 at 12, div.—*Edward Neave*, Warrford-court, London, stockbroker, June 14 at 11, Court of Bankruptcy, London, div.—*William Cheate Paul*, Romford, Essex, sheep salesman, June 14 at 2, Court of Bankruptcy, London, fin. div.—*William Rupert Piggett*, Goldsmith-street, Wood-street, London, carpet warehouseman, June 14 at 1, Court of Bankruptcy, London, fin. div.—*Handy Davis* and *Jesse Davis*, Chalford, Gloucestershire, clothiers, June 17 at half-past 11, District Court of Bankruptcy, Bristol, div.—*Simon Walker*, Birmingham, and *Alexander Walker* and *John Walker*, Philadelphia, America, merchants, June 25 at 12, District Court of Bankruptcy, Birmingham, div.—*Thomas Cox* and *Thomas Whites*, Hanley, Staffordshire, drapers, June 25 at 12, District Court of Bankruptcy, Birmingham, div. sep. est. of *Thomas Cox*.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thos. B. Cousens, Wisbeach St. Peter's, Cambridgehire, ship builder, June 14 at 1, Court of Bankruptcy, London.—*James Starkey*, Old-street, St. Luke's, Middlesex, carpenter, June 14 at 12, Court of Bankruptcy, London.—*Saml. Perkins*, Cambridge, maker of medicines for horses, June 18 at 11, Court of Bankruptcy, London.—*Thomas Bratherton*, Birmingham, livery-stable keeper, June 18 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Smith, Regent-street, Middlesex, jeweller.—*Henry*

Coppin, Colchester, Essex, shoemaker.—*Wm. Woodbridge*, Mincing-lane, London, colonial broker.—*Joseph C. Brown*, Taunton, Somersetshire, draper.—*Wm. Hamley*, Crockernwell, Devonshire, victualler.—*Francis Deffins*, Manchester, gingham manufacturer.—*Louis B. Cheffin*, Bristol, and Bath, Somersetshire, bookseller.—*Robt. Savory*, Hereford, plumber.—*Wm. Walker*, Mansfield, Nottinghamshire, innkeeper.

PARTNERSHIPS DISSOLVED.

George Laver and *Joseph Cresswell*, Folkestone, Kent, solicitors and attorneys, (under the firm of *Laver & Cresswell*).—*Geo. W. K. Potter* and *Chas. Collingridge*, Basinghall-street, London, attorneys and solicitors.

SCOTCH SEQUESTRATION.

James Mackay, Brora, Sutherlandshire, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

I. Levy and *I. Dausiger*, Liverpool, out of business, June 3 at 10, Liverpool District County Court, at Liverpool.—*John Cooper*, Liverpool, grocer, June 3 at 10, Liverpool District County Court, at Liverpool.—*John Potts*, Liverpool, butcher, June 3 at 10, Liverpool District County Court, at Liverpool.—*Wm. Clare*, Grimstone, Norfolk, market gardener, June 8 at 2, County Court of Norfolk, at King's Lynn.—*Wm. Fras. Westall*, Manchester, auctioneer, May 31 at 12, County Court of Lancashire, at Manchester.—*Wm. Watkins*, Graig, near Lidart, Mitchel Troy, Monmouthshire, carpenter, June 14 at 11, County Court of Monmouthshire, at Monmouth.—*A. Talbot*, Donisthorpe, Leicestershire and Derbyshire, publican, June 11 at 9, County Court of Leicestershire, at Ashby-de-la-Zouch.—*W. Shipp*, Lulham, Madeley, Herefordshire, farmer, June 13 at 10, County Court of Herefordshire, at Hereford.—*Wm. Pipes*, Ampleforth, Yorkshire, grocer, June 26 at 11, County Court of Yorkshire, at Helmsley.—*J. Every*, Hinckley, Leicestershire, attorney's clerk, June 12 at 10, County Court of Leicestershire, at Hinckley.—*John Church*, Abingdon, Berkshire, miller, June 11 at half-past 11, County Court of Berkshire, at Abingdon.—*James Lloyd*, Gilwern, Llanely, Brecknockshire, hay dealer, June 8 at 10, County Court of Brecknockshire, at Crickhowell.—*J. Selkeld*, Kendal, Westmoreland, shoemaker, June 3 at 9, County Court of Lancashire, at Ulverston.—*James Cleal*, Lyme Regis, Dorsetshire, innkeeper, May 10 at 10, County Court of Devonshire, at Axminster.—*Arthur Nicoll*, West Malling, Kent, chemist, June 4 at 12, County Court of Kent, at Maidstone.—*John Stears*, Brighton, Sussex, fly proprietor, June 7 at 12, County Court of Sussex, at Brighton.—*Edward Powell*, Upper Lloyney, Clifrow, Radnorshire, farmer, June 6 at 10, County Court of Brecknockshire, at Hay.—*John Coats*, Swansea, Glamorganshire, draper's assistant, June 17 at 10, County Court of Glamorganshire, at Swansea.—*Joseph Duckring*, Wolverton, Buckinghamshire, livery-stable keeper, June 13 at 1, County Court of Buckinghamshire, at Newport Pagnel.—*Jas. Twofit*, Newport Pagnel, Buckinghamshire, butcher, June 13 at 1, County Court of Buckinghamshire, at Newport Pagnel.—*John Hogg*, Bideford, Devonshire, chemist, June 6 at 10, County Court of Devonshire, at Bideford.—*Thomas Hall*, Abingdon, Berkshire, licensed victualler, June 11 at half-past 11, County Court of Berkshire, at Abingdon.—*John Angell*, Abingdon, Berkshire, grocer, June 11 at half-past 11, County Court of Berkshire, at Abingdon.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 8 at 11, before Mr. Commissioner PHILLIPS.

David Heathcot Morgan, James-terrace, Commercial-road, Peckham, Surrey, builder.—*Robert Ayton*, Cambridge-road, Mile-end, Middlesex, furnishing undertaker.—*Catherine Harriet Hillman*, spinster, Gower-st., Middlesex.

June 10 at 10, before Mr. Commissioner LAW.

Benj. Quinney, Barrow-hill-road, Portland-town, Marylebone, Middlesex, cowkeeper.—*Antonia Maria Scragno Ondirera*, Leather-lane, Holborn, Middlesex, barometer manufacturer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 7 at 11, before Mr. Commissioner HARRIS.

Louis Watson, Craven-st., Strand, Middlesex, coal merchant.—*Henry Lucas*, Albert-terrace, High-row, Knightsbridge, Middlesex, tailor.—*Catherine Church*, widow, Pictomplace, Peckham-road, Surrey, out of business.—*Wm. Rafabone*, Haberdasher-place, Hoxton, Middlesex, carpenter.—*Edward Oswald*, Noel-st., Islington, Middlesex, commission agent.—*Samuel Dowling*, Shaftesbury-terrace, Fimlico, Middlesex, commission agent.—*John Watson*, Fore-street, Limehouse, Middlesex, cowkeeper.

June 7 at 10, before Mr. Commissioner LAW.

James Cossey, Marshall-street, Golden-square, Middlesex, levying broker.—*Robert Court Cullen* the younger, Hayes, Middlesex, in no business.

June 8 at 11, before Mr. Commissioner PHILLIPS.

J. Sweetland, Pancras-st., Tottenham-court-rd., Middlesex, out of business.—*John Trickey*, Great Bath-st., Clerkenwell, Middlesex, builder.

June 10 at 11, before the CHIEF COMMISSIONER.

James Michael Hudson Sparks, Park-place, Devonshire-street, Stepney, Middlesex, labourer.

June 10 at 10, before Mr. Commissioner LAW.

George Eli Wright, Queen-st., Edgeware-road, Middlesex, account-book maker.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Milton Smith, Reddish, near Manchester, out of business, No. 72,344; *Thomas Peet*, assignee.—*Joseph Howe*, Salford, provision dealer, No. 72,398; *Thomas Smith*, assignee.—*W. Green*, Wigan, jeweller, No. 72,391; *John Smith*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, June 7 at 11.

Patrick Kelly, Liverpool, blacksmith.—*Bartolome Smitdom*, St. Helen's, out of business.—*George Goodwin*, Blackpool, out of business.—*Ralph Smith*, Preston, out of business.—*John Braddock*, Manchester, hairdresser.—*John Bradley Andrew*, Ashton-under-Lyne, greengrocer.—*Joe. Hammond*, Liverpool, draper.—*John Williams*, Liverpool, dealer in ale.—*Geo. Withers*, Salford, bookkeeper.—*Wm. Davies*, Liverpool, accountant.—*John Stett*, Clithorpe, out of business.—*John McConnell*, Bolton-le-Moors, out of business.

At the County Court of Monmouthshire, at MONMOUTH, June 14 at 11.

Thomas Guyther, Monmouth, coachbuilder.—*C. Rogers*, Waynyrlugan, Llanely, carrier.

At the County Court of Gloucestershire, at GLOUCESTER, June 10 at 10.

Isaac Paine, Arlingham, labourer.—*Charles Coppsell*, Wotton-under-Edge, saddler.—*Richard Lacey* the elder, Corn Dean Farm, near Winchcombe, farmer.—*Thos. Harper* the elder, Huntley, carpenter.

At the County Court of Gloucestershire, at BRISTOL, June 10 at 11.

John Newton, Bristol, grocer.

At the County Court of Berkshire, at READING, June 6.

Robert Stevenson, Horton, Buckinghamshire, farmer.—*J. Kiplingbury*, East Halsey, plumber.—*Henry Edward Furdell*, Maidenhead, lieutenant in her Majesty's 9th Regiment of Foot.—*John Houlton*, Wokingham, saddler.

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LONDON, JUNE 1, 1850.

A CORRESPONDENT, who has had much experience in the working of the county court system, has called our attention to certain defects which exist under the present law, and to certain other defects which would arise from the extension of such system, as proposed by the bill now before Parliament. We intend to embody his suggestions in this article; and we think it will be clear from them, that, whether the county court jurisdiction be extended or not, the statute now in force requires alteration in several material respects.

It is an evil that there is no power to register the judgments obtained in county courts, so as to charge real estates, according to the provisions of the 1 & 2 Vict. c. 110. Our correspondent mentions a case, which occurred in his own practice, of a defendant being possessed of unincumbered realty, but not of any personalty which could be seized under a county court execution. The debtor preferred suffering the forty days' imprisonment to paying his debt. This he had done twice, and the plaintiff, whose debt was about 12*l.*, and who had spent nearly as much in endeavouring to recover it, then abandoned his claim.

As regards evidence, it should be observed, that there is no mode of obtaining in a county court admissions of written documents. If proof of a document, therefore, attested by a witness, be required, he must attend, at whatever distance he may reside from the court, and for such attendance he is to receive, if a professional man, 7*s.* 6*d.* per day, and 6*d.* per mile. In one case an attorney came from a distance for this purpose; he was absent, in consequence, from his business for three days, for which he was entitled only to 1*l.* 2*s.* 6*d.*

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The presence of an adverse witness in a county court cannot be compelled, nor has the suitor, injured by his absence, any substantial redress for such injury. It is true, there is a power to inflict a penalty of 10*l.*, part of which is to be paid to the person injured; but this is frequently an insufficient amount, even at present, and, of course, would be less sufficient for claims from 20*l.* to 50*l.* The penalty, moreover, can be imposed only if the witness be served ten clear days before the day of hearing, and his necessary expenses be then tendered to him. If the plaintiff takes this precaution, the defendant, having the opportunity of paying the amount of debt and costs into court *five* days before the hearing, may thereby deprive the plaintiff of the costs of the subpoenas and conduct money paid to witnesses, in addition to the costs of the attorney, who may probably have prepared the plaint, and advised upon the evidence.

Upon the subject of execution, we may remark, that if the present bill for extending the jurisdiction of the county courts become, in its present form, the law of the land, the power of taking the person of the debtor in execution, for amounts up to the sum of 50*l.*, will be taken away. The substitute of a commitment by the judge for forty days requires a previous personal service of a judgment summons, whereby the debtor, of course, receives warning, of which he may avail himself to the prejudice of the creditor. Such commitment is also only for a limited period, and if the defendant remain obstinate, the same process must be repeated. Several summonses may be required, but although the plaintiff must pay for each before it issues, yet he is allowed only for the one served.

By sect. 106 of stat. 9 & 10 Vict. c. 95, the high bailiff may not sell goods taken in execution until five



days from the day of seizure have expired; and by sect. 133 of the Bankrupt Law Consolidation Act, 1849, all executions are avoided by notice of an act of bankruptcy being given to the execution creditor at any time before sale. The effect of such a state of the law is obvious.

There are at present contradictory decisions in county courts as to whether a landlord's claim for rent has priority over executions of those courts. (See sect. 107 of stat. 9 & 10 Vict. c. 96). This should be remedied by a clause declaring the landlord entitled to priority for a certain amount; otherwise there will be this anomaly, that in some counties the landlord's claim will be defeated—in others it will not; while in all actions commenced in the superior courts his right will be recognised. High bailiffs should be required to mark on each writ of execution, immediately they receive it, the exact time of its receipt.

As to *meane process*, there is no provision in the new bill for the arrest of a defendant about to leave the country, when the action has been commenced in the county court. A plaintiff in such a case must submit to lose his debt, or must bring his action in the superior court, and be deprived of the costs of it.

There is an objection to the publicity of the proceedings in the county court at an early stage of the cause. The names of parties against whom summonses are issued are generally called over in open court before a large number of persons; the result is, that every creditor of the defendant presses upon him at once, each hoping to be first in his execution, and therefore refusing to give time. Many honest struggling debtors have been crushed by this means. The space of ten days between the service and the hearing of the summons is insufficient for the purpose of enabling parties to call in debts due to them, or to make other arrangements for settling the actions brought against them. This will be more severely felt if the jurisdiction is increased to 50*l.*, and debtors are allowed to be summoned to all parts of the kingdom—it may be, to two or three courts at different places on the same day.

Such are several of the suggestions of a practical lawyer, conversant with the advantages and disadvantages of the county court system. We recommend them to the attention of our readers, and hope that they will not be altogether disregarded by the Legislature.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—Joseph Nowell, of Barton-upon-Humber, Lincolnshire; John Smith, of Andover, Southampton.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed Joseph Bayldon Rayner, Gent., of Horbury, in the county of York, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the West Riding of the county of York.

Reviews.

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3. *A Treatise on Benefit Building Societies, containing Remarks upon the erroneous Tendency of many of the Societies at present in Existence, and an Inquiry into the true Causes of their defective Operation, with a View to their Amendment or the Formation of New Societies upon correct Principles.* By ARTHUR SCRATCHLEY, M.A., Actuary to the Western Life Assurance Society. 12mo., pp. 216. [Parker.]

Mr. Thompson's work is a carefully compiled and useful guide to the law applicable to the formation, management, and proceedings of building societies. He has collected and arranged all the statutes and decisions, and has also furnished precedents of rules, mortgages, and pleadings. The greater part of his information is conveyed in the convenient form of annotations upon a set of rules which he has selected for the purpose; not, however, very judiciously, for the rules are ill drawn, and are upon the terminating principle, which is essentially vicious. To make amends, however, Mr. Thompson has given from Mr. Scratchley's work (with his permission) the variations applicable to a permanent society; and has also reprinted the rules of the National Freehold Land Society, which is, in substance, a permanent building society, and is registered by the name of "The National Permanent Mutual Benefit Building Society." These rules are a perfect model for this kind of draughtsmanship.

The law upon various points affecting building societies is in a most unsatisfactory state. To the statutes and to the decisions, (such as they are), including the decisions on those clauses in the Friendly Societies Act which, according to the latest authorities, are incorporated in the Building Societies Act, Mr. Thompson's book furnishes a guide, of which there was great need, notwithstanding the existence of a Government officer, appointed for the express purpose of keeping these and similar societies in the legal path.

To our surprise we found that Mr. Tidd Pratt's work on the law of building societies contained something more than the act, with a meagre index; and, upon looking into it further, we found so much tolerably good law and good sense well expressed, that we felt convinced it could not be the work of the gentleman who, for some unknown reason, holds the office of Registrar of Friendly Societies; and so it proved, for at length we perceived the author of the book before us to be Mr. W. Tidd Pratt, whereas the registrar is John Tidd Pratt. Mr. W. Tidd Pratt's book is more compact than Mr. Thompson's, and contains some useful suggestions which are not in the latter work; but it has fewer forms, omits several important points, and does not contain the enactments and law relating to friendly societies which are applicable to benefit societies. Mr. Pratt has fallen into a gross mistake in saying, that "the question whether a society can legally advance to any member the

'amount or value of his share or shares for any other purposes than those mentioned in the act, namely, to erect or purchase one or more dwelling-house or dwelling-houses, or other real or personal estate, is not now of much practical importance; for, in the case of *Cutbill v. Kingdom*," Pollock, C. B., said, that as the society might lend to strangers, it might lend to members. The distinction is, that loans within the express terms of the act are protected from the usury laws; but loans not so expressly authorised would, according to the constitution of every building society in existence, be usurious.

The last work on our list is not a legal compilation, but an original work of considerable merit on the mathematical and prudential considerations upon which the constitution and proceedings of a building society should be framed. In the body of the work Mr. Scratchley discusses the merits of the various forms of building societies, and explains in a popular and impressive manner the results of his calculations, which he gives in detail in an appendix. The following is a summary of the contents of the book:—Chap. 1. Introduction. 2. Of the compound interest. 3. Of building societies as now constituted. 4. Of permanent building societies. 5. The practical management of a building society. 6. The balance-sheets of building societies, [a very important subject, well treated]. 7. Rules for a permanent building society. 8. Of life or fidelity assurance applied to building societies. 9. The act for regulating building societies, and legal decisions. Appendix 1. Of the accumulation of a sum at compound interest. 2. On present value and discount. 3. On the amount and present value of annuities. 4. Tables. To the promoters of building societies who do not act under the advice of a competent actuary, this work is of essential importance.

The following extract is from the commencement of the important chapter on assurance applied to building societies:—

"There remains one circumstance, in connexion with the operations of building societies, which more particularly deserves the serious consideration of those members who have borrowed money for the purpose of purchasing a house or other property. It has been explained, that when an advance is obtained by a member, a mortgage of the property purchased with it is given by him to the society for a specified number of years, as security for his making during that time certain fixed periodic payments, by which the loan is to be repaid, with interest.

"If the borrower survive the term of his mortgage, and complete the redemption of his property, he will, in most cases, have thus secured an unincumbered provision for his family, and all is well; but if he die before this satisfactory result is attained, unless his successors can continue the redemption payments for whatever number of years remain in the agreement, the building society is under the necessity of foreclosing the mortgage, and reselling the property, in order to recover the remainder of the debt. The late borrower's family consequently find themselves suddenly deprived of a provision on which they had calculated; and whatever sum they may recover from the sale of the house, after complete payment of the society's claims, it would, under such circumstances, be but small in comparison with the advantage which had naturally been expected by them before his death.

"This difficulty in the position of the borrower can only be surmounted by the application of life assurance, which alone affords the certainty of monetary payments adapted to the contingencies of human life. It is exactly one of the cases that life assurance is specially prepared to meet; the contingency to be provided against being, the chance of a given life

'dying before the expiration of a given number of years.

"Were the borrower's debt to remain undiminished until the end of the specified time, and were that time a fixed number of years, then, by taking out an ordinary temporary policy on his life for that period, equal to the amount of his debt, he would secure the necessary sum payable to his family in the event of his decease at any intermediate time. But in consequence of the claim on the property diminishing every year, and in fact every month, the policy can, at the option of the assured, be made of such a kind as to adapt itself to the decrease in various ways more advantageous to him, and suited to each particular case."

London Gazette.

TUESDAY, MAY 28.

BANKRUPTS.

GEORGE THORNELOE, High-street, Poplar, Middlesex, grocer, dealer and chapman, June 6 and July 12 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Duan & Dobie, 2, Raymond-buildings, Gray's-inn.—Petition dated May 18.

THOMAS CROFT, Whitechapel-road, Whitechapel, Middlesex, stable keeper, June 5 at 11, and June 28 at half-past 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Turner, Whitechapel-road.—Petition filed May 24.

THOMAS HUGHES, Newport, Monmouthshire, shipowner and ship broker, June 11 and July 9 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Latch, Newport; Abbot, Bristol.—Petition filed May 17.

JOAH CROSSLEY and JONATHAN CROSSLEY, Bangor, Carnarvonshire, wine merchants, grocers, dealers and chapmen, (trading in copartnership under the style or firm of J. Crossley & Co.), June 12 and July 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Laces & Co., Liverpool; Hill & Mathews, St. Mary Axe, London.—Petition dated May 21.

MEETINGS.

Nelson J. Holloway, Minorics, London, clock manufacturer, June 8 at 11, Court of Bankruptcy, London, last ex.—George P. Hutchison, Crawford-st., Marylebone, Middlesex, grocer, June 7 at 11, Court of Bankruptcy, London, and. ac.—Chas. Burges, Sheffield, Yorkshire, steel manufacturer, June 8 at 10, District Court of Bankruptcy, Sheffield, and. ac.—John Yeomans, Sheffield, Yorkshire, merchant, June 8 at 10, District Court of Bankruptcy, Sheffield, and. ac.—Roger H. F. Williams and Mayson Wilson, Liverpool, merchants, June 20 at 2, Court of Bankruptcy, London, div.—Pells Whitmore, Lambeth, Surrey, brewer, June 20 at 2, Court of Bankruptcy, London, div.—Edward Beedel and Charles Reffold, Reading, Berkshire, builders, June 18 at 1, Court of Bankruptcy, London, fin. div.—John Matthews and Charles Decimus Matthews, Chipping Norton, Oxfordshire, and Chipping Campden, Gloucestershire, bankers, June 24 at half-past 10, District Court of Bankruptcy, Birmingham, and. ac.—Edw. Brattan, Northwich, Cheshire, cabinet maker, June 20 at 11, District Court of Bankruptcy, Liverpool, div.—W. Blain, Liverpool, corn merchant, June 18 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Ellison, Stainsby-road, Poplar, Middlesex, builder, June 19 at 1, Court of Bankruptcy, London.—Edw. Wolsey, Wexham, Norfolk, corn merchant, June 19 at 11, Court of Bankruptcy, London.—John Prentice, Oxford, ironmonger, June 19 at 12, Court of Bankruptcy, London.—Edwin Cilder, Birmingham, miller, June 20 at 12, District Court of Bankruptcy, Birmingham.—Matthew D. Robinson, Dudley, Worcestershire, confectioner, June 20 at 12, District Court of Bankruptcy, Birmingham.—George Howard, Longton, Stoke-upon-Trent, Staffordshire, earthenware manufacturer, June 20 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

James Barr, New Turnstile, High Holborn, and Old-road, St. Pancras, Middlesex, builder.—**Charles Wetherill**, Downstreet, Piccadilly, Middlesex, ironmonger.—**Joseph Smith** and **Robert Smith**, Kirkburton, Yorkshire, cloth manufacturers.

PETITION ANNULLED.

Daniel Bishop, York-st., St. James's-sq., Middlesex, wine merchant.

SCOTCH SEQUESTRATIONS.

Alex. J. M. Macleay, dec., Fortrose, Ross-shire, merchant.—**Mackenzie, Morrison, & Co.**, Glasgow, calico printers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Baker, Ledbury, Herefordshire, horse dealer, June 22 at 9, County Court of Herefordshire, at Ledbury.—**Wm. Medder**, Liverpool, tailor, June 3 at 10, Liverpool District County Court, at Liverpool.—**William Vaughan**, Liverpool, writing clerk in the Liverpool Gas-works, June 3 at 10, Liverpool District County Court, at Liverpool.—**W. Byollin Ralphes**, Liverpool, engine tender, June 3 at 10, Liverpool District County Court, at Liverpool.—**James Mosley**, Liverpool, manufacturer of hair mattresses, June 3 at 10, Liverpool District County Court, at Liverpool.—**Francis Winson**, Codnor-park, Derbyshire, licensed victualler, June 8 at 10, County Court of Derbyshire, at Alfreton.—**James Fentiman**, Albury, Surrey, coachmaker, June 18 at 1, County Court of Surrey, at Guildford.—**John Roberts**, Ross, Herefordshire, coal miner, June 15 at 10, County Court of Herefordshire, at Ross.—**James Reed**, Redruth, Cornwall, cabinet maker, June 13 at 10, County Court of Cornwall, at Redruth.—**Richard Prance**, Kingston-upon-Hull, Yorkshire, dealer in tea, June 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**George Gardiner**, Hesale, Yorkshire, bricklayer, June 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**Thomas Page**, Kingston-upon-Hull, Yorkshire, out of business, June 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**Patrick Bruce**, Kingston-upon-Hull, Yorkshire, commission agent, June 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**Samuel Daniell**, Redruth, Cornwall, bookseller, June 13 at 10, County Court of Cornwall, at Redruth.—**John Weitt**, Banbury, Oxfordshire, in no business, June 18 at 2, County Court of Oxfordshire, at Banbury.—**John Johnson**, Kingston-upon-Hull, Yorkshire, dealer in toys, June 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**Jabez Yates**, Droitwich, Worcestershire, brazier, and iron and tin plate worker, June 24 at 9, County Court of Worcestershire, at Droitwich.—**Ann Johnson**, spinster, Monkbretton, Yorkshire, housekeeper, June 14 at 12, County Court of Yorkshire, at Barnsley.—**Ebenezer Kirkpatrick**, King's Lynn, Norfolk, tea dealer, June 11 at 10, County Court of Norfolk, at the Crown Inn, in Downham Market.—**John Carter**, Stow Bardolph, Norfolk, beerseller, June 11 at 10, County Court of Norfolk, at the Crown Inn, in Downham Market.—**John Dodds**, All Saints, Derbyshire, clothier, June 15 at 11, County Court of Derbyshire, at Derby.—**Edward Dawkins**, Great Wilne, Derbyshire, miller, June 15 at 11, County Court of Derbyshire, at Derby.—**Joseph Brown**, Newark-upon-Trent, Nottinghamshire, veterinary surgeon, June 7 at 12, County Court of Nottinghamshire, at the Corn Exchange, Newark.—**H. B. Bennett**, Ashill, Uffculme, Devonshire, rope maker, June 13 at 10, County Court of Devonshire, at the Guildhall, Tiverton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 11 at 11, before Mr. Commissioner HARRIS.

John Cotton, Coleharbour-street, Hackney-road, Middlesex, out of business.—**Peter Murphy**, Kent-st., Southwark, Surrey, cheesemonger.—**James Hare**, Chester-street, Lambeth, Surrey, plumber.—**Susan Jennings**, Arundel-st., Coventry-st., Haymarket, Westminster, Middlesex, lodging-house keeper.

June 12 at 11, before the CHIEF COMMISSIONER.

Thomas Collins, Blackfriars-road, Southwark, Surrey, quay foreman at the London Docks.—**John George Fordham Blue**, Long-lane, Bermondsey, Surrey, engine-hose maker.—**Fred. Elliott**, Broad-st., Waterloo-road, Lambeth, Surrey, cheesemonger.

Saturday, May 25.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

John Pryn, Netherton Farm, Buckland-Monachorum, Devonshire, farmer, No. 72,127 C.; **James Campbell**, assignee.—**Abraham Crowe**, Debenham, Suffolk, farmer, No. 71,931 C.; **Samuel Tillet**, assignee.

Saturday, May 25.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James George Buckman, Collingwood-st., Great Charlotte-st., Blackfriars-road, Surrey, oil and colour man: in the Gaol of Horsemonger-lane.—**Alex. Reid**, New Basinghall-st., London, commission agent: in the Debtors Prison for London and Middlesex.—**Thomas Morris**, Arbour-square, Commercial-road East, Stepney, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—**Charles Massi**, Noble-st., Goswell-st., St. Luke's, Middlesex, philosophical apparatus manufacturer: in the Debtors Prison for London and Middlesex.—**Wm. Humphryes**, Perkins'-rents, Westminster, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—**Fred. Holder**, Arundel-st., Coventry-street, Haymarket, Middlesex, in no trade: in the Queen's Prison.—**Joseph Bland**, Paradise-place, Bradmore, Hammersmith, Middlesex, in no trade: in the Queen's Prison.—**Ge. Goodwin Turley**, High-st., Whitechapel, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—**Jas. Rich. Wm. Holding**, Neckinger-road, Bermondsey, Surrey, currier: in the Debtors Prison for London and Middlesex.—**Charles Crippen**, Brookeby's-walk, Homerton, Middlesex, and Bartholomew-lane, London, stockbroker: in the Debtors Prison for London and Middlesex.—**Thos. Phillips**, Queenhithe, Upper Thames-st., London, licensed victualler: in the Debtors Prison for London and Middlesex.—**Edward Pennell**, Upper Albany-street, Regent's-park, Middlesex, clerk in the Admiralty Department, Somerset-house: in the Queen's Prison.—**Charles Poole**, President-street West, King-square, Goswell-street, Middlesex, lessee of the Brighton Theatre: in the Debtors Prison for London and Middlesex.—**Joseph Valentine**, St. George's-street, Ratcliff, Middlesex, coffee-house keeper: in the Debtors Prison for London and Middlesex.—**Reuben Watts**, Bell-yard, York-street, Westminster, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—**Henry Isaac Jacob**, Nottingham-place, Commercial-road East, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—**Thomas Booth**, Birtle-cum-Bamford, near Bury, Lancashire, coal dealer: in the Gaol of Lancaster.—**Glenville Holland Croydon**, Teignmouth, Devonshire, cabinet maker: in the Gaol of St. Thomas the Apostle.—**Salisbury Glover**, Cheetham, near Manchester, attorney-at-law: in the Gaol of Lancaster.—**Samuel Green**, Semer, near Hadleigh, Suffolk, wheelwright: in the Gaol of Ipswich.—**Richard Holden**, Height-end, Kewdale, Lancashire, joiner: in the Gaol of Lancaster.—**John M'Connell**, Little Bolton, Bolton-le-Moors, Lancashire, travelling draper: in the Gaol of Lancaster.—**Joshua Parn**, Lower Broughton, near Manchester, cotton spinner: in the Gaol of Lancaster.—**William Thomas**, Old-bridge, Princes-gate, Haverfordwest, merchant: in the Gaol of Haverfordwest.—**James W. Davenport**, Oxford, tailor: in the Gaol of Oxford.—**George Green**, Rainton-gate, near West Rainton, Durham, shoemaker: in the Gaol of Durham.—**Joseph Hammond**, Liverpool, draper's assistant: in the Gaol of Lancaster.—**George Lock**, Portsmouth Point, Hampshire, victualler: in the Gaol of Portsmouth.—**Henry Thorpe**, South Creak, Norfolk, draper: in the Gaol of Norwich.—**William Best**, Seaton, Nottinghamshire, licensed victualler: in the Gaol of Nottingham.—**John Hope**, Leamside-lane, near West Rainton, Durham, publican: in the Gaol of Durham.—**William Humble**, Brownriggside, near Westgate, Stanhope in Weardale, Durham, labourer: in the Gaol of Durham.—**The Rev. Saml.**

Revel, Wingerworth, Derbyshire, perpetual curate of the said parish: in the Gaol of Derby.—*Owen Cawfield*, Bradford, Yorkshire, draper: in the Gaol of York.—*Joseph Day*, Coventry, Warwickshire, ribbon weaver: in the Gaol of Coventry.—*John Hayercraft*, New-street, Battersea-fields, Surrey, labourer: in the Gaol of Winchester.—*Hugh Jones*, Merthyr Tydvil, Glamorganshire, tallowchandler: in the Gaol of Cardiff.—*James Williams* the younger, Bridgwater, Somersetshire, butcher: in the Gaol of Wilton.—*Wm. Sutton*, Stockport Little Moor, Stockport, Cheshire, clerk: in the Gaol of Chester.—*Lydia Davies*, Runcorn, Cheshire, out of business: in the Gaol of Chester.—*John Banks Bellin*, Malpas, Cheshire, surgeon: in the Gaol of Chester.—*William Horatio Pankhurst*, Shelton, Stoke-upon-Trent, Staffordshire, colour manufacturer: in the Gaol of Stafford.—*William Parish*, Millbrook, near Southampton, Hampshire, licensed hawk: in the Gaol of Winchester.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 11 at 10, before Mr. Commissioner LAW.

Frederick West, Naphill-common, Hughendon, High Wycombe, Buckinghamshire, bricklayer.

June 12 at 10, before Mr. Commissioner LAW.

John Robertson, Princes-street, Great Garden-street, White-chapel, Middlesex, baker.

June 13 at 11, before the CHIEF COMMISSIONER.

Mary Gilbert, widow, Argyle-street, New-road, King's-cross, Battle-bridge, St. Pancras, Middlesex, carrier.

June 13 at 11, before Mr. Commissioner PHILLIPS.

George Hoare, President-street East, Goswell-street, Middlesex, provision merchant.—*William Angel King*, Havering-street, Commercial-road East, Middlesex, wine merchant.—*Geo. Chowles* the elder, High-street, Marylebone, Middlesex, upholsterer.—*George Walter Joliffe Meallis*, Cumberland-buildings, John-street, Holland-street, Blackfriars-road, Surrey, wine merchant.—*Thomas Norvall*, Pleasant-row, Hickman's-folly, Dockhead, Surrey, coal porter.—*Newell Patrick Ravenhill*, Great Windmill-street, St. James's, Westminster, Middlesex, tailor.—*Thomas William Spooner*, Gloucester-terrace, New-road, Whitechapel, Middlesex, hatter.—*Hilaire Noryaret*, Skinner's-place, Leadenhall-market, London, poulterer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Monmouthshire, at MONMOUTH, June 14 at 11.

Thomas Gwyther, (and not Gwyther, as advertised in last Friday's Gazette), Monmouth, coachbuilder.

At the County Court of Northamptonshire, at NORTHAMPTON, June 12.

Samuel Simco, Northampton, in no business.

At the County Court of Norfolk, at GREAT YARMOUTH, June 12 at 10.

James Elmer, Great Yarmouth, accountant.

At the County Court of Hampshire, at WINCHESTER, June 12.

John Hayercraft, New-street, Battersea-fields, Battersea, near London, Surrey, labourer.

At the County Court of Devonshire, at EXETER, June 15 at 10.

John Trounwell, Stonehouse, out of business.—*Glasville Holland Croydon*, Teignmouth, cabinet maker.

At the County Court of Glamorganshire, at CARDIFF, June 12.

Morgan Clayton, Merthyr Tydvil, tailor.—*Job Davies*, Merthyr Tydvil, greengrocer.—*Hugh Jones*, Merthyr Tydvil, tallowchandler.

MEETING.

Alexander Gordon John Bishop, Duke-street, Manchester-square, Middlesex, clerk in holy orders, June 15 at 12, Portugal-street, Lincoln's-inn, London, sp. aff.

FRIDAY, MAY 31.

BANKRUPTS.

JOHN PERKO, Cross-street, Islington, Middlesex, furrier, June 14 at 2, and July 9 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Lawrance & Plews, 14, Old Jewry-chambers, Old Jewry.—Petition filed May 29.

JOHN JACKSON, Mark-lane, London, eating-house keeper and retailer of beer, June 11 at 12, and July 11 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Wright & Bonner, 15, London-st., Fenchurch-st.—Petition dated May 31.

FRIEND WESTOVER, Lewisham, Kent, cheesemonger and grocer, dealer and chapman, June 13 and July 13 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Bristow & Tarrant, 2, Bond-court, Walbrook.—Petition filed May 27.

SAMUEL ADAMS, Birmingham, gun and pistol manufacturer, dealer and chapman, June 11 and July 10 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Nalder, Bristol.—Petition dated May 28.

AUGUSTUS KEAPEL HOLMAN, Wortley, Leeds, Yorkshire, cloth manufacturer, June 14 and July 26 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Atkinson & Co., and E. & J. M. Barret, Leeds.—Petition dated and filed May 29.

WALLIS JAMES GARRETT, Bath, Somersetshire, grocer, June 15 and July 16 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Castle & Henderson, Bristol; Berkeley, 52, Lincoln's-inn-fields, London.—Petition filed May 27.

MEETINGS.

William Jordan, Milton-naxt-Gravesend, Kent, newspaper proprietor, June 18 at 2, Court of Bankruptcy, London, pr. d.—*Wm. Marston*, Manchester, yarn merchant, June 12 at 12, District Court of Bankruptcy, Manchester, pr. d.—*B. Angle*, Moorfields, London, licensed victualler, June 15 at 1, Court of Bankruptcy, London, last ex.—*John King Watts*, St. Ives, Huntingdonshire, scrivener, June 15 at 11, Court of Bankruptcy, London, last ex.—*James G. Watson*, Sunderland, Durham, grocer, June 6 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*George Alex. Von Dommer*, Newcastle-upon-Tyne, merchant, June 10 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Joseph R. Pim*, Birkenhead, Cheshire, brickmaker, June 14 at 11, District Court of Bankruptcy, Liverpool, last ex.—*William Skinner*, High-st., Aldgate, London, clothier, June 11 at 11, Court of Bankruptcy, London, and. ac.—*Geo. Borer*, Great Chapel-street, Westminster, Middlesex, tea dealer, June 11 at 11, Court of Bankruptcy, London, and. ac.—*George Palmer*, Langmere, Norfolk, cattle dealer, June 19 at 11, Court of Bankruptcy, London, and. ac.—*Thos. Long*, Belgrave-street South, Fimlico, Middlesex, picture dealer, June 19 at 11, Court of Bankruptcy, London, and. ac.—*Joseph Robinson*, High Holborn, Middlesex, bookseller, June 19 at 12, Court of Bankruptcy, London, and. ac.—*George Trotter*, Gloucester, coachmaker, June 19 at 1, Court of Bankruptcy, London, and. ac.—*Henry Brading*, Shepherdess-walk, City-road, Middlesex, licensed victualler, June 19 at 2, Court of Bankruptcy, London, and. ac.: June 21 at 1, div.—*Edward Underhill*, Radnor-cottage, Chelsea, Middlesex, builder, June 19 at 12, Court of Bankruptcy, London, and. ac.—*Edward West*, Leadenhall-st., London, ship and insurance agent, June 19 at 1, Court of Bankruptcy, London, and. ac.—*Richard Dean*, Church-st., Trinity-sq., Southwark, Surrey, builder, June 24 at 11, Court of Bankruptcy, London, and. ac.—*Robert Potter Craft*, Lansdowne-villas, Brompton, and Haymarket, Middlesex, tavern keeper, June 12 at 11, Court of Bankruptcy, London, and. ac.—*Thos. B. Cousens*, Wisbeach St. Peter's, Cambridgeshire, shipbuilder, June 14 at 1, Court of Bankruptcy, London, and. ac.—*John Stolle* and *Wm. Hodgson*, Christian-street, St. George's-in-the-East, Middlesex, vinegar makers, June 15 at 11, Court of Bankruptcy, London, and. ac.—*Wm. Pownall*, Macclesfield, Cheshire, silk manufacturer, June 11 at 12, Court of Bankruptcy, London, and. ac.—*Wm. Bedford*, Fen-Drayton, Cambridgeshire, publican, June 20 at half-past 11, Court of Bankruptcy, London, and. ac.—*Thomas Tindall*, Hastings, Sussex, linendraper, June 20 at 12, Court of Bankruptcy, London, and. ac. and div.—*Walter R. Sutton*, Bristol, chemist, June 28 at 11, District Court of Bankruptcy, Bristol, and. ac.—*John Jones Price*, Bulth,

Breconshire, tanner, June 21 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Edward S. Boul*, Liverpool, stockbroker, June 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Blain*, Liverpool, corn merchant, June 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. Gray the younger*, Liverpool, metal broker, June 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; June 21 at 11, div.—*W. Puleston*, Wrexham, Denbighshire, draper, June 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; June 21 at 11, div.—*Richard Potter*, Birkenhead, near Chorley, and Manchester, *John Potter* and *James Potter*, Manchester, cotton spinners, June 11 at 12, District Court of Bankruptcy, Manchester, aud. ac. joint and sep. est.—*Edwin Calder*, Birmingham, miller, June 20 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Cox* and *Thomas Whites*, Hanley, Staffordshire, drapers, June 27 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Hewke*, King William-street, London, hatter, June 21 at 11, Court of Bankruptcy, London, div.—*George Henry Blake*, Mount-street, Grosvenor-square, Middlesex, cabinet maker, June 21 at 11, Court of Bankruptcy, London, div.—*John Hudson Theobald*, Colchester, Essex, and *Jabez Church*, Deptford, Kent, coke manufacturers, June 21 at 1, Court of Bankruptcy, London, div. sep. est. of *John Hudson Theobald*.—*William Shachel*, Canning-place, Old-street, St. Luke's, Middlesex, bacon merchant, June 21 at 12, Court of Bankruptcy, London, div.—*Wm. Child*, Chertsey, Surrey, grocer, June 20 at half-past 12, Court of Bankruptcy, London, div.—*Thomas Stirling the elder* and *William Stirling*, Stratford, Essex, slaters, June 20 at 1, Court of Bankruptcy, London, div.—*Richard Green*, Brighton, Sussex, ironmonger, June 20 at half-past 1, Court of Bankruptcy, London, div.—*Charles Cove*, Hornchurch, Essex, builder, June 24 at half-past 11, Court of Bankruptcy, London, div.—*Charles Houghton*, Farringdon-street, London, ironmonger, June 25 at 1, Court of Bankruptcy, London, div.—*Henry Charles Cawston*, Temple-street, Kingland, Middlesex, grocer, June 25 at 2, Court of Bankruptcy, London, div.—*Francis Bassano*, Deritend, Aston, near Birmingham, coach founder, June 24 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Edward Swainwick Boul*, Liverpool, stockbroker, June 24 at 11, District Court of Bankruptcy, Liverpool, div.—*John Yeomans*, Sheffield, Yorkshire, merchant, June 22 at 10, District Court of Bankruptcy, Sheffield, div.—*Charles Buryin*, Sheffield, Yorkshire, steel manufacturer, June 22 at 10, District Court of Bankruptcy, Sheffield, div.—*James Harehaw* and *William Askew*, Leeds, Yorkshire, cloth merchants, June 21 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

William Benjamin Blaber, Little Britain, London, plumber, June 21 at 12, Court of Bankruptcy, London.—*John Berry-hill Cross*, Cornhill, London, watchmaker, June 24 at 1, Court of Bankruptcy, London.—*Adolphus Woolfrey*, Poole, auctioneer, June 25 at 12, Court of Bankruptcy, London.—*Andrew Palmer*, Great Hadham, Hertfordshire, grocer, June 25 at 11, Court of Bankruptcy, London.—*Charles Cove*, Hornchurch, Essex, builder, June 24 at half-past 11, Court of Bankruptcy, London.—*John Richard West*, Mill-wall, Poplar, Middlesex, block and mast maker, June 23 at 1, Court of Bankruptcy, London.—*Peter Thorne*, Castle-street, Leicester-square, Middlesex, bottled-beer merchant, June 24 at 2, Court of Bankruptcy, London.—*William Gordon*, Gloucester, dealer in Berlin wools, June 24 at 11, District Court of Bankruptcy, Bristol.—*John Clarke*, Stourbridge, Worcestershire, grocer, June 24 at half-past 10, District Court of Bankruptcy, Birmingham.—*William Palmer* and *Francis Martin Palmer*, Loughborough, Leicestershire, hostlers, June 28 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Charles Chael, Paddington-green, Middlesex, victualler.—*Martina Mundy*, Longcot, near Farringdon, Berkshire, tailor.—*John Sydenham*, Poole, Dorsetshire, printer.—*Maurice Jones*, Delamere, Cheshire, livery-stable keeper.—*William Smytheman*, Rugeley, Staffordshire, builder.—*Joseph Jackson*, Birmingham, builder.—*Joseph Stevens the younger*, Coal-bournbrook, Ambleside, Staffordshire, glass manufacturer.—*Thos. Skelton Sleightholme*, Scarborough, Yorkshire, painter.

SCOTCH SEQUESTRATIONS.

John Somerville, Kirkconnell, Dumfriesshire, cattle dealer.—*Daniel Connal*, Blackford, Perthshire, grain dealer.—*Samuels & Grimsand*, Dundee, merchants.—*Alex. M. Peebles & Co.*, Springfield, Renfrewshire, paper manufacturers.—*William Blair McKean*, Leith, and Charlestown, James-town, Townhill, and Fordel Sutherlands, Fifeshire, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Chas. Benjamin Hunt, Great Yarmouth, Norfolk, plumber, June 12 at 10, County Court of Norfolk, at Great Yarmouth.—*John Whymen*, Nuneaton, Warwickshire, dealer in glass, June 27 at 11, County Court of Warwickshire, at Nuneaton.—*John Pike*, Sturminster Marshall, Dorsetshire, butcher, June 17 at 12, County Court of Dorsetshire, at Wimborne Minster.—*Samuel Reader*, Berkswell, Warwickshire, farmer, June 26 at 2, County Court of Warwickshire, at Coventry.—*James Huxon*, Coventry, Warwickshire, out of business, June 26 at 2, County Court of Warwickshire, at Coventry.—*Rich. Nettle*, St. Agnes, Cornwall, stamp-grate maker, June 7 at 11, County Court of Cornwall, at Truro.—*Kitty Hollis*, widow, Alcester, Warwickshire, woollendrapery, June 20 at 2, County Court of Warwickshire, at Alcester.—*Jonathan Clapp*, Chelworth, Cricklade, St. Sempson, Wiltshire, calf dealer, June 21 at 11, County Court of Wiltshire, at Swindon.—*Edward Diggory Jones*, St. Chad, Shrewsbury, Shropshire, veterinary surgeon, June 18 at 10, County Court of Shropshire, at Shrewsbury.—*John Stickley Watkins*, Birmingham, watchmaker, June 24 at 2, County Court of Warwickshire, at Birmingham.—*Wm. Robinson*, Birmingham, retail coal dealer, June 10 at 2, County Court of Warwickshire, at Birmingham.—*Geo. Wm. Taylor*, Birmingham, drawing clerk, June 10 at 2, County Court of Warwickshire, at Birmingham.—*Richard Rogers*, Bedwellty, Monmouthshire, attorney's clerk, June 20 at 10, County Court of Monmouthshire, at Tredegar.—*J. Marriott*, Aberystwith, Monmouthshire, shoe manufacturer, June 20 at 10, County Court of Monmouthshire, at Tredegar.—*T. Booth*, Koyton, near Oldham, Lancashire, power-loom weaver, June 7 at 11, County Court of Lancashire, at Oldham.—*Hugh Thomas*, Penrith, Anglesey, draper, June 18 at 10, County Court of Anglesey, at Llangefni.—*Wm. Sharp*, North Shields, Northumberland, innkeeper, June 20 at half-past 10, County Court of Northumberland, at North Shields.—*John Carr*, Hexham, Northumberland, licensed victualler, June 21 at 2, County Court of Northumberland, at Hexham.—*John Mow*, Hexham, Northumberland, currier, June 21 at 2, County Court of Northumberland, at Hexham.—*Louis Richard Maillard*, Cheltenham, Gloucestershire, china dealer, June 18 at 10, County Court of Gloucestershire, at Cheltenham.—*John Crymes*, Haverfordwest, Pembrokeshire, in no profession, June 21 at 10, County Court of Pembrokeshire, at Haverfordwest.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 15 at 11, before Mr. Commissioner PHILLIPS.

James Shearman, St. George-st., St. George's-in-the-East, Middlesex, shoemaker.—*Robert Masley Stark*, Stamford-terrace, Hackney, Middlesex, attorney.—*Wm. Heskett*, East Ham, near Plaistow, Essex, cowkeeper.

June 17 at 10, before Mr. Commissioner LAW.

Matthew Turner, High-st., Peckham, Surrey, baker.—*Geo. Gillingham*, Church-st., Chelsea, Middlesex, veterinary surgeon.

June 17 at 11, before the CHIEF COMMISSIONER.

William Joy, John-st., Harper-st., New Kent-road, Surrey, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 14 at 11, before Mr. Commissioner HARRIS.

Wm. Henry Duff, Caledonian-st., Battle-bridge, Middle-

sex, not in any business.—*Wm. Reese*, Blackfriars-road, Surrey, and Mount-st., New-road, Whitechapel-road, Middlesex, manager of a beer-shop.—*Wm. Attwells*, Winchester-street, Broad-st., London, out of employ.—*Arthur Allen* the younger, King William-st., Strand, Middlesex, out of business.—*Joseph Philip Press*, Church-st., Hackney, Middlesex, out of business.—*Thomas Morris*, Arbour-square, Commercial-road East, Stepney, Middlesex, coal merchant.—*Chas. Merit Rigg*, Spring-terrace, Wandsworth-road, Surrey, doctor of medicine.

June 14 at 10, before Mr. Commissioner LAW.

Thomas Edmeades, Lucas-st., Back-road, St. George's-in-the-East, Middlesex, common brewer.

June 15 at 11, before Mr. Commissioner PHILLIPS.

Thomas Beaumont, Lower-mall, Hammersmith, Middlesex, licensed victualler.—*George Crouch*, Glengall-grove, Old Kent-road, Surrey, and Tudor-st., Blackfriars, London, parcel booking-office keeper.

June 17 at 11, before the CHIEF COMMISSIONER.

Charles Crippen, Brookesby's-walk, Homerton, and Bartholomew-lane, London, stockbroker.—*Henry Gibbs Bath*, Wimbourne-st., New North-road, Hoxton, Middlesex, painter.—*Joseph Valentine*, St. George's-street, Ratchiff, Middlesex, coffee-shop keeper.

June 17 at 10, before Mr. Commissioner LAW.

Edward Pennell, Upper Albany-st., Regent's-park, Middlesex, clerk in the Admiralty, Somerset-house, Strand.—*E. Grendana*, Albany-st. and Frederick-st., Regent's-park, Middlesex, confectioner.

June 15 at 11, before the CHIEF COMMISSIONER.

Charles Poole, President-st. West, Goswell-st., Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at the Shire Hall, NORWICH CASTLE, June 14 at 10.

John Price, Great Yarmouth, hotel keeper.—*Hen. Thorpe*, Fakenham, draper.—*Wm. Sumner* the younger, Great Yarmouth, plumber.

At the County Court of Warwickshire, at COVENTRY, June 26.

Wm. Thompson the elder, Birmingham, glasscutter.

At the County Court of Oxfordshire, at OXFORD, June 17.

James William Davenport, Oxford, tailor.

At the County Court of Pembrokeshire, at HAVERFORDWEST, June 21 at 10.

William Thomas, Pendergast, merchant.

At the County Court of Gloucestershire, at BRISTOL, June 17 at 11.

John Mann, Horfield, out of business.

At the County Court of Staffordshire, at STAFFORD, June 17 at 10.

William Horatio Pankhurst, Shelton, Stoke-upon-Trent, colour manufacturer.

At the County Court of Durham, at DURHAM, June 14.

Thomas Robinson, Stockton-upon-Tees, grocer.—*George Green*, Rainton Gate, near West Rainton, shoemaker.—*Wm. Harrison*, Bonnersfield, Monkwearmouth, beer-house keeper.—*Wm. Humble*, Brownriggside, near Westgate, labourer.—*Thomas Smith*, Bishopwearmouth, draper.—*John Hope*, Leamside-lane, near West Rainton, publican.—*Robert Henry Gill*, Hartlepool, shipbroker.

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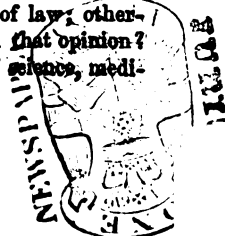
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bishops. Now as, in the class of cases that would have to be referred to the new court, there would rarely be any doubt about the law, when the fact was once established, it would be idle to talk of the Crown having any substantial power of deciding left to it. It would be bound to take its facts from the bishops; and the fact being, at least, as we have observed, in many cases, the only thing about which there could be a difference, it would, in effect, surrender its whole authority into the hands of a sort of ecclesiastical jury.

In fact, the present system is, that the Judicial Committee acts for the Crown as judge and jury, taking its evidence in matters of doctrine from ecclesiastical witnesses. The Bishop of London's plan would be, to substitute for this, the ancient and established course of procedure, a standing ecclesiastical body, composed of men, in general, publicly pledged to particular opinions on doctrine, and that body would be taken on all occasions, not to inform itself of the fact, but to know the fact. We may well, as laymen, thank God that such a measure has been rejected by the House of Lords. The analogy which the supporters of the bill attempted to establish between the practice of the Court of Chancery and other Courts, and the proposed practice, has no existence. But the practice of all the Courts in reference to matters of foreign information, is consistent with the practice pursued by the Judicial Committee, as at present constituted, in matters ecclesiastical. The practice of the Court of Chancery, when it seeks assistance on questions of law, is to send for the opinion of a Court of law; which it generally follows, no doubt—not because it is bound by it, but because it has respect for the opinion of the Court of law; otherwise wherefore should it have required that opinion? In matters of foreign law, in matters of science, medi-



cal, chemical, mechanical, or otherwise, Courts of law and equity examine learned persons as witnesses; but they are not bound by their statements; they may, and frequently do, disbelieve the witnesses, and refuse to act upon their statements as evidence. The Court and the jury, when there are both, and the Court when the Court is judge both of the law and the fact, invariably receive the statements of witnesses as evidence, more or less credible, more or less intelligible, more or less establishing particular facts; but they are not bound to take, and sometimes do not take, the facts to be as the witnesses state them.

Now, if the object of the bill was not to transfer to the members of the Church, composing the synod of prelates, the absolute authority to declare what is or is not the doctrine of the Church, it did nothing. If it were to leave in the Crown the power of saying it is not satisfied with the evidence, or of deciding what is the result of the evidence, it would leave matters just where they are. For both as to the Crown, and as to every Court before which now, directly or indirectly, questions of religious doctrine may come, the course in practice is, to consult with and take the evidence of learned men, and to decide according to the facts proved by them. According to the present law, then, the Judicial Committee, in a case involving the question, what is the doctrine of the Church, ascertains the fact by the assistance of inquiries as large as it may think requisite; and, with such means at its disposal, it can ascertain, not merely the opinions of a portion of the Church, but the doctrines, the opinions, and the doubts of the Church generally. By the effect of the new bill, the Judicial Committee would be powerless to ascertain anything beyond the opinions of a certain body of prelates, whose opinions might or might not correctly represent the doctrine of the Church, but whose opinions would nevertheless be conclusive evidence of the fact.

REGULA GENERALIS.

ORDER OF COURT.

June 3, 1850.

The Right Hon. CHARLES CHRISTOPHER LORD COTTEHAM, Lord High Chancellor of Great Britain, by and with the advice and assistance of the Right Hon. HENRY LORD LANGDALE, Master of the Rolls, the Right Hon. Sir LANCELOT SHADWELL, Vice-Chancellor of England, the Right Hon. the Vice-Chancellor Sir JAMES LEWIS KNIGHT BRUCE, and the Right Hon. the Vice-Chancellor Sir JAMES WIGRAM, doth hereby, in pursuance of an act of Parliament passed in the fourth year of the reign of her present Majesty, intituled "An Act for facilitating the Administration of Justice in the Court of Chancery," and of an act passed in the fifth year of the reign of her present Majesty, intituled "An Act to amend an Act of the Fourth Year of the Reign of her present Majesty, intituled 'An Act for facilitating the Administration of Justice in the Court of Chancery,'" and of an act passed in the eighth and ninth years of the reign of her present Majesty, intituled "An Act for amending certain Acts of the Fourth and Fifth Years of the Reign of her Majesty, for facilitating the Administration of Justice in the Court of Chancery, and for providing for the Discharge of the Duties of the Subpoena-office after Death, Resignation, or Removal of the present Patentees of that

Office," and in pursuance and execution of all other powers enabling him in that behalf, ORDER AND DIRECT, that all and every the rules, orders, and directions hereinafter set forth shall henceforth be, and for all purposes be deemed and taken to be, GENERAL ORDERS AND RULES OF THE HIGH COURT OF CHANCERY, viz.:-

I. Every decree or order of reference is to be brought into the Master's office, by the party having the carriage thereof, within ten days after the same shall have been passed and entered, and in default thereof any other party to the cause or matter is to be at liberty to bring in the same, and such party shall have the carriage of the proceedings under such decree or order, unless the Master shall otherwise specially direct.

II. If upon the warrant taken out for considering the decree or order of reference, or at any time during the reference, it shall appear to the Master, with respect to the whole or any portion of the proceedings, that the interests of the parties can be classified, he is to be at liberty to require the persons constituting each or any class to be represented by the same solicitor; and if the parties constituting such class cannot agree upon the solicitor to represent them, the Master is to be at liberty to nominate such solicitor for the purpose of the proceedings before him; and if any of the parties constituting such class shall decline to authorise the solicitor so nominated to act for him, and shall insist upon being represented by a different solicitor, such party shall personally pay the costs of his own solicitor of and relating to the proceedings before the Master with respect to which such nomination shall have been made, and all such further costs as shall be occasioned to any of the parties by his being represented by a different solicitor from the solicitor so to be nominated.

III. The arrangement and regulation of the course of proceedings under each reference are to be wholly subject to the control and direction of the Master, and the Master is to proceed with the reference made to him as speedily as the nature thereof and the business of the office will allow.

IV. The duration of warrants to proceed upon any reference before the Master, is not to be limited to an hour, or any other period of time; and the proceedings upon any warrant are, as far as possible, to be continued consecutively from hour to hour, and from day to day, until the same shall be completed, but not so as to cause unreasonable delay in other causes or matters depending before the Master; and the Master shall therefore be at liberty to adjourn the further hearing of any matter or thing before him to such future day as he shall think fit; and on every such adjournment the parties shall be obliged to attend without a further warrant, unless the Master shall otherwise direct.

V. The Master shall give priority, as far as may be, to exceptions for insufficiency, impertinence, and scandal, and to matters and applications under the 3 & 4 Will. 4, c. 94, s. 13, and the orders made in pursuance thereof, and to any other matters or applications requiring immediate despatch.

VI. The Master's power to proceed *ex parte*, in case of the non-attendance of any party on any warrant, shall extend to the case of his non-attendance upon any adjournment of any warrant.

VII. The Master's power to award costs, in case of the non-attendance of any party upon any warrant, is to extend to the case of his non-attendance upon any adjournment of any warrant to a fixed time.

VIII. In all cases when a proceeding has been unduly delayed, by reason of the neglect of any party or his solicitor, the Master shall, in the first report which he shall make on the subject-matter in respect of which such proceeding has been unduly delayed, state

specially to the Court the circumstances of such delay, in order that the Court may, if it shall so think fit, in addition to and notwithstanding any costs which the Master may have certified to be paid in the course of the proceedings before him, make such further order in respect thereof as justice shall require.

IX. If it shall appear to the Master that any state of facts, affidavit, or other proceeding before him contains statements which are impertinent, or of unnecessary length, he shall be at liberty (without any application made to him for the purpose) to disallow such matter, distinguishing by his initials in the margin the parts so disallowed; and he shall cause a memorandum of his having disallowed such impertinent matter to be indorsed on the office copies of the draft of his report, as to the particular inquiry on which such state of facts, affidavit, or other proceeding shall have been used before him; and in the taxation of costs, no costs shall be allowed to the parties by or on whose behalf such state of facts, affidavit, or other proceeding was brought into the Master's office, for or in respect of the matter so disallowed, and the Taxing Master shall allow to the other parties to the suit or matter all such costs as have been incurred by or occasioned to them by reason of the matter so disallowed; and such costs shall be paid by the party by or on whose behalf such state of facts, affidavit, or other proceeding was so brought in.

X. In all proceedings before the Master, where he is attended by counsel, the allowances on the taxation of costs in respect of the fees to such counsel are to be regulated upon the same principle as if the proceedings were before the Court.

XI. The costs of procuring the attendance of counsel before the Master are to be allowed in the taxation of costs as between party and party, in all cases in which the Master shall certify such attendance to be proper, and in no other case.

XII. In case of the absence, from illness or otherwise, of any Master to whom any cause or matter is referred, any other Master may, with his concurrence, act in the place of the Master so for the time being absent; but any order or other proceeding to be made or had by or before such Master so acting is to be entered as made or had by or before him for or in the place of the Master to whom the reference is made.

XIII. The Masters are forthwith and from time to time to meet and consider such additional orders or regulations as may appear to them, or the majority of them, calculated to expedite and facilitate the satisfactory transaction of the business of the suitors in their offices, and to report such additional orders or regulations to the Lord Chancellor, to the end that, if the same should be approved by him, proper steps may be taken for such additional orders or regulations being adopted and duly made general rules and orders of the Court.

XIV. The Registrars are forthwith and from time to time to meet and consider such orders or regulations as may appear to them, or the majority of them, calculated to expedite and facilitate the satisfactory transaction of the business of the suitors in their office, and to report such orders or regulations to the Lord Chancellor, to the end that, if the same be approved by him, proper steps may be taken for such orders or regulations being adopted and duly made general rules and orders of the Court.

XV. That this Order be drawn up and entered by the Registrar of the said Court.

(Signed) COTTENHAM, C.
LANGDALE, M.R.
LANCLOT SHADWELL, V.C.E.
J. L. KNIGHT BRUCE, V.C.
JAMES WIGRAM, V.C.

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COURT OF QUEEN'S BENCH.

TRINITY TERM.—13 VICTORIA.—*June 1, 1850.*

This Court will, on Thursday the 13th day of June instant and the two following days, on Thursday the 20th day of June instant and the two following days, and also on Monday the 24th day of June instant and the five following days, hold sittings, and will proceed in disposing of the business now pending in the New Trial Paper, the Special Paper, and the Crown Paper. The Court will also hold a sitting on Saturday the 6th day of July next, at twelve o'clock at noon, for the purpose only of giving judgments.

By THE COURT.

COURT OF EXCHEQUER.

TRINITY TERM.—13 VICTORIA.—*June 3, 1850.*

This Court will hold sittings on Monday the 17th day of June instant, and on every succeeding day (Sundays excepted) until and including Monday the 8th day of July next, and will at such sittings proceed in disposing of the business then pending in the Paper of New Trials, in the Paper of Demurrers, in the Paper of Special Cases, and in disposing of the motions and applications which shall then have been made and shall be then pending, and in giving judgment in all causes and matters then standing for judgment.

FREDERICK POLLOCK.
E. H. ALDERSON.
R. M. ROLFE.
T. J. PLATT.

Read in open Court—*E. Bennett.*

London Gazette.

TUESDAY, JUNE 4.
BANKRUPTS.

SAMUEL HOGG and HENRY JAMES HOGG, Landport, Portsea, Hampshire, auctioneers and wine and spirit merchants, June 15 at half-past 1, and July 13 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Low, Portsea, Hampshire; Dimmock & Burbey, 2, Suffolk-lane, London.—Petition filed May 30.

WILLIAM FOSTER NEWTON, Dover-street, Piccadilly, Middlesex, milliner and dressmaker, dealer and chapman, June 13 at 1, and July 19 at 11, Court of Bankruptcy, London: Off. Ass. Cannon; Sols. Lawrence & Plews, 14, Old Jewry-chambers.—Petition dated May 31.

THOMAS JEYES EDWARDS, King-street, St. George, Bloomsbury, Middlesex, dressing-case maker, dealer and chapman, June 14 at half-past 11, and July 19 at half-past 12, Court of Bankruptcy, London: Off. Ass. Cannon; Sol. Fraser, 78, Dean-st., Soho.—Petition dated May 31.

THOMAS KING PYRKE, High-street, Notting-hill, Middlesex, bookseller and stationer, dealer and chapman, June 13 at half-past 12, and July 23 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Cooper, Verulam-buildings, Gray's-inn.—Petition filed June 3.

WILLIAM HIGGS, Wolverhampton, Staffordshire, iron dealer and shoeing smith, dealer and chapman, June 13 and July 17 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Smith & James, Birmingham.—Petition dated May 31.

CHARLES WILLIAM WILLIAMSON, Birmingham, baker, grocer, and provision merchant, dealer and chapman, June 17 and July 15 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Powell, Birmingham.—Petition dated May 30.

THOMAS GOODE, Hereford, chemist and druggist, dealer and chapman, June 17 and July 15 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Lawrence, Hereford; Suckling, Birmingham.—Petition dated May 27.

WILLIAM CHANCELLOR, Bath, Somersetshire, innkeeper, dealer and chapman, June 19 and July 17 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Slack, Bath; Bridges, Bristol.—Petition filed May 31.

HENRY THURSTAN, Cheltenham, Gloucestershire, innkeeper and victualler, June 19 and July 17 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Chesshyre, Cheltenham.—Petition filed May 24.

CHARLES FRANCIS, Liverpool, grocer and tea dealer, June 14 and July 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Evans & Son, Liverpool.—Petition filed May 30.

JOSEPH JOHN MONK MASON SCOTT, (trading as Joseph Scott), Liverpool, wine and spirit merchant, dealer and chapman, June 17 and July 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Dodge, Liverpool.—Petition dated May 31.

GEORGE WOODWARD, Doncaster, Yorkshire, gunmaker, June 15 and July 20 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Mason & Wright, Doncaster; Hale & Co., 6, Ely-place, London.—Petition dated April 26; filed May 4.

GEORGE HORNSBY and ROBERT PORTER MOULD, Newcastle-upon-Tyne, builders, dealers and chapmen, June 10 and July 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Griffith & Crighton, Newcastle-upon-Tyne.—Petition filed May 28.

MEETINGS.

John Conquest, Moorgate-st., London, scrivener, June 14 at 12, Court of Bankruptcy, London, aud. ac.; June 25 at half-past 1, div.—*Joseph Downham*, Harrogate, Yorkshire, wine merchant, June 18 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*William Weekes*, Inwardleigh, Devonshire, edge-tool maker, June 13 at 1, District Court of Bankruptcy, Exeter, aud. ac.; June 26 at 11, div.—*James Bannehr*, Exeter, law stationer, June 13 at 1, District Court of Bankruptcy, Exeter, aud. ac.; June 26 at 11, div.—*F. Peake*, Honiton, Devonshire, woollendrapier, June 13 at 1, District Court of Bankruptcy, Exeter, aud. ac.; June 26 at 11, div.—*T. Guy Pocock*, Gawbridge-mills, Kingsbury Episcopi, Somersetshire, miller, June 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 27 at 1, div.—*Wm. Hamley*, Crockernwell, Devonshire, victualler, June 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*John Rouse*, Exeter, plumber, June 20 at 1, District Court of Bankruptcy, Exeter, aud. ac.; June 27 at 1, div.—*John Stuckes*, Exeter, innkeeper, June 20 at 1, District Court of Bankruptcy, Exeter, aud. ac.—*J. Frampton*, Cerne Abbas, Dorsetshire, money scrivener, June 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Wm. Woods and Samuel Thomas*, Cheapside, London, wholesale hardwaremen, June 26 at half-past 11, Court of Bankruptcy, London, div. sep. est. of *Samuel Thomas*.—*John Chisholm and Wm. Chisholm*, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumers, June 25 at 1, Court of Bankruptcy, London, div.—*William Remington, Rowland Stephenson, David R. Remington, and Joseph P. Toulmin*, Lombard-street, London, bankers, June 25 at 1, Court of Bankruptcy, London, fin. div.—*John George Fuller*, St. James's-street, Middlesex, and Streatham, Surrey, wine merchant, June 25 at half-past 11, Court of Bankruptcy, London, div.—*Peter Thompson* the elder, Osnaburgh-place, New-road, St. Pancras, and Commercial-road, Limehouse, Middlesex, carpenter, June 25 at 11, Court of Bankruptcy, London, div.—*Charles Harvey Weigall*, Conduit-street, Regent-street, Middlesex, tailor, June 27 at 11, Court of Bankruptcy, London, div.—*Charles Tull*, Salisbury, Wiltshire, and Andover, Southampton, linen-draper, June 27 at 12, Court of Bankruptcy, London, div.—*Robert Clifton*, Brandon, Suffolk, brewer, June 25 at 12, Court of Bankruptcy, London, div.—*Alexander Beattie and Francis Macnaghien*, Nicholas-lane, Lombard-street, London, merchants, June 25 at 11, Court of Bankruptcy, London, div.—*Atkinson Wilkin*, Camberwell, Surrey, merchant, June 25 at 11, Court of Bankruptcy, London, div.—*John Warden Robberds*, Norwich, manufacturer, June 26 at half-past 11, Court of Bankruptcy, London, div.—*William Bird Brodie and Charles George Brodie*, Salisbury, Wiltshire, bankers, June 26 at 11, Court of Bankruptcy, London, div. sep. est. of *Charles George Brodie*.—*Nicholas Mould*, Warwick-street, Woolwich, Kent, licensed victualler, June 27 at half-past 11, Court of Bankruptcy, London, div.—*Benjamin Ware*, Tower-

street, London, cheesemonger, June 25 at 2, Court of Bankruptcy, London, fin. div.—*John Matthews and Charles Dennis Matthews*, Chipping Norton, Oxfordshire, and Chipping Campden, Gloucestershire, bankers, June 24 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—*T. Knight*, Bristol, silversmith, June 27 at 11, District Court of Bankruptcy, Bristol, div.—*T. Blayds Molyneux and P. Witherby*, Liverpool, merchants, June 25 at 11, District Court of Bankruptcy, Liverpool, div.—*John Robinson*, Portwood within Brinnington, Cheshire, cotton spinner, June 26 at 12, District Court of Bankruptcy, Manchester, div.—*Rich. Potter*, Birkacre, near Chorley, and Manchester, and *John Potter and James Potter*, Manchester, cotton spinners, June 25 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Sarah Pattison, Winchester, Hampshire, glazier, June 26 at 11, Court of Bankruptcy, London.—*Jas. Bird*, Cwmavon, Glamorganshire, grocer, June 26 at 12, District Court of Bankruptcy, Bristol.

To be granted, unless an Appeal be duly entered.

Chas. Christie, Vauxhall-walk, Lambeth, and Broad-street, Lambeth, Surrey, timber merchant.—*John Barton Belcombe*, Cannon-street, London, sharebroker.—*Thos. Lediard*, Cirencester, Gloucestershire, money scrivener.—*John Bedford*, Bath, Somersetshire, music-seller.—*George Davey*, Gwinear, Cornwall, miller.—*Mary Levi, Julia Levi, and Esther Levi*, Liverpool, stationers.—*Peter Fielding*, Rhyl, Flintshire, hotel-keeper.—*Charles Louie Swainson and John Birchwood*, Manchester, manufacturers.

PARTNERSHIP DISSOLVED.

Rowland Price and John Harward, Stourbridge, Worcestershire, attorneys-at-law and solicitors in Chancery.

SCOTCH SEQUESTRATIONS.

Alexander Pearson, West Sciennes, near Edinburgh, distiller.—*William Reid*, deceased, Lochec, Forfarshire, builder.—*James Mitchell & Co.*, Glasgow, engravers.—*John Moffat*, Contin, Ross-shire, farmer.—*William Donald*, Aberdeen, shipowner.—*Robert Orkney*, jun., Rothesay, draper and cloth merchant.—*P. & H. Ferguson & Rhind*, Glasgow, metal brokers.—*John Ogilvy*, Aberdeen, baker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Evans, Birmingham, out of business, June 10 at 2, County Court of Warwickshire, at Birmingham.—*Mary Ann Damant*, widow, Mildenhall, Suffolk, plumber, June 25 at 10, County Court of Suffolk, at Mildenhall.—*John Blaton*, Exeter, turncock to the Exeter Water Company, June 15 at 10, County Court of Devonshire, at Exeter.—*William Osborrow*, Wickham-market, Suffolk, coachmaker, June 20 at 1, County Court of Suffolk, at Woodbridge.—*John Debney*, Woodbridge, Suffolk, builder, June 20 at 1, County Court of Suffolk, at Woodbridge.—*Hester Webb Purnell*, Stroud, Gloucestershire, milliner, June 19 at 10, County Court of Gloucestershire, at Stroud.—*Thomas England* the younger, Bradford, Wiltshire, baker, June 10 at 11, County Court of Wiltshire, at Bradford.—*John Parry*, Bangor, victualler, June 12 at 10, County Court of Carnarvonshire, at Bangor.—*Samuel Rhodes*, Newcastle-upon-Tyne, potato salesman, June 19 at 10, County Court of Northumberland, at Newcastle.—*Ann Lovers*, widow, Bridgwater, Somersetshire, shoemaker, June 25 at 12, County Court of Somersetshire, at Bridgwater.—*John Oak*, Walsdon-hill-steps, Torquay, Tormoham, Devonshire, blockmaker, June 15 at 11, County Court of Devonshire, at Newton Abbot.—*William Ward*, Henley-in-Arden, Warwickshire, licensed victualler, June 21 at 10, County Court of Warwickshire, at Warwick.—*James Ellis*, Watledge, Minchinhampton, Gloucestershire, confectioner, June 19 at 10, County Court of Gloucestershire, at Stroud.—*James Algar*, Diss, Norfolk, out of business, June 17 at 2, County Court of Suffolk, at Eye.—*Thomas Patterson*, Maryport, Cumberland, innkeeper, June 27 at half-past 9, County Court of Cumberland, at Cockermouth.—*William Ryder Durant*, St. Thomas-the-Apostle, Devonshire, out of business, June 15 at 10, County Court of Devonshire, at Exeter.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 18 at 11, before Mr. Commissioner HARRIS.

Frederick Gadsden, Upper Carlisle-street, Marylebone, Middlesex, out of business.—*John Dyer Williams*, Newcastle-street, Farringdon-street, London, blacking manufacturer.—*Henry Devon*, Curtain-road, Shoreditch, Middlesex, cabinet maker.—*Peter Brewster*, Rose-cottage, Haggerston, Middlesex, builder.

June 19 at 11, before the CHIEF COMMISSIONER.

Harman Hicks Lewis, Great Queen-street, Westminster, Middlesex, practical chemist.—*Francis Robert Leaver*, Leaverian-cottages, Commercial-road, Peckham, Surrey, clerk to a wine merchant.

June 19 at 10, before Mr. Commissioner LAW.

George Gilbert Nash, St. George's-road, New Kent-road, Newington, Surrey, out of business.—*Charles Macintosh*, King-square, St. Luke's, Middlesex, out of business.—*James Tharp*, Mitcham-lane, Lower Barrack-gate, Croydon, Surrey, cabinet maker.

June 20 at 11, before the CHIEF COMMISSIONER.

Geo. Halfacre, Sudbury, near Harrow, Middlesex, farmer's servant.

Saturday, June 1.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

J. Stevens, Smarden, Kent, land surveyor, No. 72,239 C.; *Thomas Pauli de Laseux* and *Samuel Herbert Chapman*, assignees.—*James Jutness*, Lynn Regis, Norfolk, marine-store dealer's assistant, No. 72,298 C.; *Wm. Southern* and *William Aickman*, assignees.—*Thos. Outhwaite*, Scorton, near Catterick, Yorkshire, farmer, No. 72,304 C.; *Isaac Fisher*, assignee.—*Richd. Parkinson* the younger, Barholm, near Stamford, Lincolnshire, farmer, No. 72,361 C.; *Frederick William Yorke*, assignee.—*John Leigh*, North Petherwin, Devonshire, farmer, No. 72,405 C.; *Richard Peter*, assignee.—*William Prebble*, Merstham, near Ashford, Kent, publican, No. 61,124 T.; *John Williams*, assignee.—*Joseph Bennett White* the younger, St. John-street-road, Clerkenwell, Middlesex, farmer, No. 61,349 T.; *William Dowding*, assignee.—*Thomas Sutton*, Pond-place, Fulham-rd., Chelsea, Middlesex, printer, No. 61,408 T.; *Thos. Tyerman*, assignee.—*Wm. Carpenter*, John-street, Adelphi, Middlesex, newspaper proprietor, No. 61,514 T.; *Alfred Rodrigues*, assignee.—*Thos. Marshall* the younger, Barnstable, Devonshire, hatter, No. 72,313 C.; *David Nyman*, assignee.

Saturday, June 1.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Henry Allen, Great Wild-st., Lincoln's Inn-fields, Middlesex, coal dealer: in the Debtors Prison for London and Middlesex.—*Henry Wheatley Erlam*, New Basinghall-street, London, proprietor of baths: in the Queen's Prison.—*Henry Halsey* the younger, Dorking, Surrey, in no trade: in the Queen's Prison.—*John Howes*, High Holborn, Middlesex, straw-bonnet dealer: in the Queen's Prison.—*Christopher Legge*, Commercial-road, Lambeth, Surrey, collector of rents: in the Queen's Prison.—*John Wm. Lloyd*, Old Burlington-st., Middlesex, out of business: in the Queen's Prison.—*Angus Gray*, Salisbury-st., St. James's-place, Bermondsey, Surrey, waterman: in the Gaol of Horsemonger-lane.—*Thos. Watson*, Rheidol-terrace, River-terrace, Islington, Middlesex, omnibus driver: in the Debtors Prison for London and Middlesex.—*J. Alex. Keith*, Ship-alley, Welleclose-square, Middlesex, shipping agent: in the Debtors Prison for London and Middlesex.—*George Gray*, Brox, near Chertsey, Surrey, nurseryman: in the Gaol of Horsemonger-lane.—*W. Wynne*, Crown-place, Old Kent-road, Surrey, surgeon: in the Gaol of Horsemonger-lane.—*George Norton Bailey*, Dufour's-place, Broad-st., Golden-square, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Richard Smith*, Sutton-

at-Hone, Kent, harness maker: in the Debtors Prison for London and Middlesex.—*Edward Adam Warren Stone Lowman*, Queen's-row, Queen's-road, Dalston, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*George Prince*, Bridge-street, Westminster, Middlesex, in no business: in the Queen's Prison.—*Wm. Brown*, Worcester, coach proprietor: in the Gaol of Worcester.—*Thos. Wilmot Easthorpe*, Cheltenham, Gloucestershire, in no trade: in the Gaol of Gloucester.—*Mark Light*, Lydlinch, Dorsetshire, farmer: in the Gaol of Dorchester.—*William Summer* the younger, Great Yarmouth, Norfolk, plumber: in the Gaol of Norwich.—*Jacob Wilkins*, Barnsley Dairy, Wimborne Minster, Dorsetshire, dairyman: in the Gaol of Dorchester.—*Thos. Watts*, Charlton Adam, near Somerton, Somersetshire, farmer: in the Gaol of Wilton.—*Thos. Beaumont*, Hightown, near Leeds, Yorkshire, carrier: in the Gaol of York.—*Thomas Crowther*, Little-town, Hunslet, near Leeds, Yorkshire, farmer: in the Gaol of York.—*James Marshall*, Exeter, Devonshire, cabinet maker: in the Gaol of Exeter.—*Henry Peacock*, Leeds, Yorkshire, hotel keeper: in the Gaol of York.—*Joe. Parker*, Churchgate, Loughborough, Leicestershire, attorney at law: in the Gaol of Leicester.—*James Day*, Luddesdown, Kent, labourer: in the Gaol of Maidstone.—*Edna Green*, Birmingham, straw dealer: in the Gaol of Warwick.—*Frederick Fox Cooper*, Gravesend, Kent, superintendent of the Royal Terrace-pier-gardens, Gravesend: in the Gaol of Maidstone.—*Thomas Harcourt Thompson*, Lovegrove-place East, Greenwich, Kent, civil engineer: in the Gaol of Maidstone.—*John Mason*, Lancaster, cabinet maker: in the Gaol of Lancaster.—*Martin Swallow*, Kirkgate, Huddersfield, Yorkshire, tobaccoist: in the Gaol of York.—*John Kidd*, Newcastle-upon-Tyne, commission agent: in the Gaol of Newcastle-upon-Tyne.—*Thomas Glasson*, Budock, Cornwall, farmer: in the Gaol of Bodmin.—*Mary Ann Griffiths*, spinster, Kempsey, Worcestershire, out of business: in the Gaol of Worcester.—*Callies Bell*, Swinehead, Lincolnshire, shopkeeper: in the Gaol of Lincoln.—*James Hughes*, Manchester, provision dealer: in the Gaol of Lancaster.—*Euse Standen*, Great Harwood, near Blackburn, Lancashire, butcher: in the Gaol of Lancaster.—*Collin Upton*, Leeds, Yorkshire, innkeeper: in the Gaol of York.—*Edmund Andrew*, Middleton, near Manchester, grocer: in the Gaol of Lancaster.—*Henry Cotton*, Liverpool, earthenware dealer: in the Gaol of Lancaster.—*William Chaffield*, Manchester, provision dealer: in the Gaol of Lancaster.—*John Edmondson*, Manchester, silk manufacturer: in the Gaol of Lancaster.—*John Greaves*, Great Grimsby, Lincolnshire, draper: in the Gaol of Lincoln.—*George Simpson Haigh*, Northowram, near Halifax, Yorkshire, out of business: in the Gaol of York.—*Edward Ingledew*, Bourne, Lincolnshire, miller: in the Gaol of Lincoln.—*Charlotte Robinson*, Manchester, out of business: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 19 at 10, before Mr. Commissioner LAW.

Christopher Legge, Commercial-road, Lambeth, Surrey, collector of rents.

June 20 at 11, before the CHIEF COMMISSIONER.

Frederick Edward Kelsey, Marine Cottage, Marine-street, Dockhead, Bermondsey, Surrey, cowkeeper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at EXETER, June 15 at 10.

Wm. Townsend Dance, Plymouth, captain in the Royal Navy.—*Jas. Marshall*, Exeter, cabinet maker.

At the County Court of Northumberland, at NEWCASTLE, June 19 at 10.

John Kidd, Newcastle-upon-Tyne, commission agent.

FRIDAY, JUNE 7.

BANKRUPTS.

HENRY AUGUSTUS HOPE, Trinity-square, Surrey, carrier, June 14 and July 17 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Jerwood, Ely-place, Holborn.—Petition filed June 5.

DANIEL PRETYMAN and GEORGE HENRY HOBSON, Cornhill, London, ironmongers, dealers and chapmen, (trading under the firm of Pretymann & Hobson), June 18 and July 18 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Lawrence & Plews, Old Jewry-chambers.—Petition dated June 5.

WILLIAM THOMAS HEARN, Portsmouth, Southampton, licensed victualler, June 18 at half-past 11, and July 18 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Wood, 2, Gray's-inn-square.—Petition dated June 4.

HENRY BOLTON, Luton, Bedfordshire, straw-hat manufacturer, and Birmingham, draper, dealer and chapman, June 14 at 11, and July 19 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Ashurst & Sons, 6, Old Jewry, London.—Petition dated May 24.

ROBERT THOMPSON, Hope-terrace, Notting-hill, Middlesex, builder, dealer and chapman, June 14 at half-past 12, and July 19 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Coode & Co., 10, King's-arm-yard, Moorgate-street.—Petition dated June 3.

WILLIAM GEORGE MOSS, High-street, Peckham, Surrey, licensed victualler, June 18 at 2, and July 9 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Willmott, 82, High-street, Southwark.—Petition filed June 3.

JOSEPH AWFORD, Strood, Gloucestershire, mealman, June 19 and July 15 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Agraman; Sols. Winterbotham, Strood; Abbot, Bristol.—Petition filed June 4.

PATRICK ADAIR BLACK and JOHN WHITTINGHAM, Liverpool, provision and general brokers, dealers and chapmen, June 19 and July 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Broomer, Liverpool.—Petition filed June 3.

MARRIAGES.

Thomas Jones, Liverpool, coal dealer, June 19 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*Hen. Brading*, Shepherdess-walk, City-road, Middlesex, licensed victualler, June 21 at half-past 11, Court of Bankruptcy, London, last ex.—*Charles John Hubbard*, Cretched-frisers, London, and Saffron Walden, Essex, hop merchant, June 20 at 11, Court of Bankruptcy, London, last ex.—*John Fenton*, Avery-row, Bond-street, Middlesex, baker, June 29 at 11, Court of Bankruptcy, London, last ex.—*John Herdinge Veitch*, Durham, printer, July 2 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Thomas Moss*, Brierley-hill, Staffordshire, boiler manufacturer, June 20 at 12, District Court of Bankruptcy, Birmingham, last ex.—*Thomas Collingswood*, Abingdon, Berkshire, butcher, June 27 at 11, Court of Bankruptcy, London, and. ac.—*Daniel Turton Johnson*, *Henry Halditch Johnson*, and *George Halditch Johnson*, Aldermay-churchyard, Watling-street, London, wholesale tea dealers, June 25 at 12, Court of Bankruptcy, London, and. ac.—*Samuel Browning*, Farringdon, Berkshire, nurseryman, June 25 at 11, Court of Bankruptcy, London, and. ac.—*Joseph Arundell*, Titchfield, Southampton, common brewer, June 29 at 1, Court of Bankruptcy, London, and. ac.—*Peter Broad* the younger, Brighton, Sussex, tallowchandler, June 25 at half-past 11, Court of Bankruptcy, London, and. ac.—*Andrew Palmer*, Great Hadham, Hertfordshire, grocer, June 25 at 11, Court of Bankruptcy, London, and. ac.—*Jacob Mill*, Crosby-hall-chambers, Bishopsgate-street Within, London, merchant, July 1 at 12, Court of Bankruptcy, London, and. ac.—*Thomas Hudson*, Lime-street, London, dry salter, July 1 at 12, Court of Bankruptcy, London, and. ac.—*William Barnes*, Hungerford, Berkshire, auctioneer, June 25 at 11, Court of Bankruptcy, London, and. ac.—*Thomas Chandler*, Brimscombe, Minchinhampton, Gloucestershire, innkeeper, June 20 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Thomas Blayds Molyneux* and *Percival Wilberby*, Liverpool, merchants, June 24 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Charles Gough*, Altrincham, Cheshire, ironmonger, June 27 at 12, District Court of Bankruptcy, Manchester, and. ac.; June 28 at 12, div.—*John Robinson*, Portwood within Brinnington, Cheshire, cotton spinner, June 18 at 12, District Court of Bankruptcy, Manchester, and. ac.—*William Wilson*, Houghton-le-Spring, Durham, maltster, July 2 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; July 4 at 11, fin. div.—*Frederick Saldorf*, Plymouth, Devonshire, merchant, July 11 at 11, District Court of Bankruptcy, Exeter, and. ac. and div.—*Walter*

Holmes, Plymouth, Devonshire, baker, July 11 at 11, District Court of Bankruptcy, Exeter, and. ac. and div.—*John Beckhouse*, Liverpool, merchant, June 27 at 11, District Court of Bankruptcy, Liverpool, and. ac.; June 28 at 11, div.—*John Dale Woodcock*, Leeds, Yorkshire, calenderer, June 25 at 12, District Court of Bankruptcy, Leeds, and. ac.; July 1 at 11, div.—*George Everard*, Longton, Stoke-upon-Trent, Staffordshire, earthenware manufacturer, June 20 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*William Smythens*, Rugeley, Staffordshire, builder, June 18 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*William Richards* the younger, Wednesbury, Staffordshire, coachsmith, June 19 at 12, District Court of Bankruptcy, Birmingham, and. ac.; July 2 at 12, div.—*Charles Newsam Cartwright*, Leicester, spinner, June 21 at 11, District Court of Bankruptcy, Nottingham, and. ac.—*Joseph Hastings*, Lenton, Nottinghamshire, lace manufacturer, June 21 at 11, District Court of Bankruptcy, Nottingham, and. ac.—*Samuel Slater*, Albemarle-street, Piccadilly, Middlesex, tailor, June 28 at half-past 1, Court of Bankruptcy, London, div.—*John Maberly*, Broad-street, Cheapside, London, and John-street, Berkeley-square, Middlesex, banker, June 28 at 11, Court of Bankruptcy, London, div.—*H. F. Horneman*, Queen-street, Cheapside, London, merchant, June 28 at 1, Court of Bankruptcy, London, div.—*Thomas Peirce* and *Wm. Abbott Peirce*, Chappanside, Wiltshire, clothiers, June 28 at 12, Court of Bankruptcy, London, div.—*Fred. Collier Christy*, *Fred. Adams*, and *James Powell Hill*, Rotherhithe, Surrey, engineers, June 28 at 11, Court of Bankruptcy, London, div.—*John Baker*, Cheltenham, Gloucestershire, shoe manufacturer, June 29 at 11, Court of Bankruptcy, London, div.—*James Aldington*, London-road, St. George the Martyr, Southwark, Surrey, oil and colour man, June 29 at half-past 11, Court of Bankruptcy, London, fin. div.—*Wm. Cooper*, *Charles Wilson*, and *George Black*, Aldermanbury, London, straw-hat manufacturers, June 28 at half-past 11, Court of Bankruptcy, London, div.—*Francis Wm. Geriack*, East-road, City-road, Middlesex, iron founder, June 28 at 12, Court of Bankruptcy, London, div.—*John Barnes*, Commercial-place, Commercial-road, Middlesex, engineer, July 2 at 12, Court of Bankruptcy, London, fin. div.—*Jas. Bowler*, Crescent, Southwark-bridge-road, Southwark, Surrey, hat manufacturer, July 8 at 11, Court of Bankruptcy, London, div.—*Anthony G. W. Biddolph*, *John Wright*, *Henry Robinson*, and *Edmund W. Jennings*, Henrietta-st., St. Paul, Covent-garden, Middlesex, bankers, July 8 at 12, Court of Bankruptcy, London, div.—*Charles Cradginton* and *Thomas Southall*, Tipton, Staffordshire, iron masters, June 24 at 10, District Court of Bankruptcy, Birmingham, and. ac.; June 29 at 10, div.—*Thos. Wright*, Newcastle-upon-Tyne, ship broker, June 28 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Hen. Clark*, Bridgwater, Somersetshire, linendraper, June 28 at 12, District Court of Bankruptcy, Bristol, div.—*Robert Chatterton*, Goole, Yorkshire, innkeeper, June 28 at 11, District Court of Bankruptcy, Leeds, div.—*John Brearley*, Sowerby-bridge, near Halifax, Yorkshire, timber merchant, June 28 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary *on or before the Day of Meeting.*

Thomas Dunn, Hastings, Sussex, builder, June 29 at half-past 1, Court of Bankruptcy, London.—*Richard Thomas Peters*, High Holborn, St. Giles-in-the-fields, Middlesex, hotel keeper, June 29 at 1, Court of Bankruptcy, London.—*George Hammond*, Milton-next-Gravesend, Kent, and Mulwall, Poplar, Middlesex, wharfinger, July 1 at 11, Court of Bankruptcy, London.—*George Jameson*, Newcastle-upon-Tyne, mercer, July 4 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Brearley*, Sowerby-bridge, near Halifax, Yorkshire, timber merchant, June 28 at 11, District Court of Bankruptcy, Leeds.—*John Ellison*, Selby, Yorkshire, woollendraper, June 28 at 11, District Court of Bankruptcy, Leeds.—*Elizabeth Hart* and *Maria Hart*, Northwich, Cheshire, drapers, July 1 at 11, District Court of Bankruptcy, Liverpool.—*Edward Williams* and *J. Williams*, Dudley, Worcestershire, June 29 at 10, District Court of Bankruptcy, Birmingham.—*John Stanford* and *Hen. Bennister*, Titford, Halesowen, Worcestershire, brick makers, June 29 at 10, District Court of Bankruptcy, Birmingham.—*Joseph Crook*, Plymouth, Devonshire, merchant, July 11 at

11, District Court of Bankruptcy, Exeter.—*John Goss*, Devonport, Devonshire, draper, July 11 at 11, District Court of Bankruptcy, Exeter.—*Charles Veale*, Uffculme, Devonshire, baker, July 10 at 11, District Court of Bankruptcy, Exeter.—*Benj. Symes Saunders*, Stawell, Moorlinch, Somersetshire, quarryman, July 10 at 11, District Court of Bankruptcy, Exeter.—*Elise Brinson*, Tiverton, Devonshire, grocer, July 10 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

James Canfield Allen, North Shields, Northumberland, brewer.—*Richard Beard*, Millman-mews, New Millman-st., Guildford-st., and Parliament-st., Westminster, Middlesex, metallic plate and picture frame manufacturer.—*Thomas Gill*, Castle-st., Leicester-square, Westminster, Middlesex, retailer of beer.—*Samuel Wreth Anthony*, Liverpool, shipowner.—*Jabez Hunt*, Bath, Somersetshire, victualler.—*Jos. Downham*, Harrogate, Yorkshire, wine merchant.

PARTNERSHIP DISSOLVED.

Wm. Rison the elder and *Wm. Rison* the younger, Jewry-street, Aldgate, and King William-st., London, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

James Lindsay, Ruthven, near Strathaven, farmer.—*Jas. Liddel*, deceased, Dundee, manufacturer.—*Charles Riddel*, Strathaven, Avondale, Lanarkshire, insurance agent.—*Richd. Rennie*, Edinburgh, commission agent.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edward Edwards, Walcot, Bath, surgeon dentist, June 15 at 11, County Court of Somersetshire, at Bath.—*Henry Hartley*, Halifax, Yorkshire, upholsterer, June 21 at 10, County Court of Yorkshire, at Halifax.—*John James*, East Town of Crediton, Devonshire, mason, July 1 at 10, County Court of Devonshire, at Crediton.—*Wm. Smith*, Harlastone, Clifton Campville, Staffordshire, out of business, June 25 at 10, County Court of Warwickshire, at Tamworth.—*William Pooley* the younger, Ipswich, Suffolk, fruiterer, June 21 at 10, County Court of Suffolk, at Ipswich.—*John Fuller*, Ipswich, Suffolk, carpenter, June 21 at 10, County Court of Suffolk, at Ipswich.—*B. Aylett*, Ipswich, Suffolk, ironfounder, June 21 at 10, County Court of Suffolk, at Ipswich.—*David Webster*, Wolverhampton, Staffordshire, out of business, June 11 at 12, County Court of Staffordshire, at Wolverhampton.—*John Martindale*, Bishopwearmouth, Durham, teacher, June 26 at 10, County Court of Durham, at Sunderland.—*Henry Hall*, Poulton-with-Fearnhead, Lancashire, wheelwright, June 15 at 10, County Court of Lancashire, at Warrington.—*John Spicer*, Exted, Elham, Kent, farmer, June 15 at 10, County Court of Kent, at Hythe.—*Wm. B. Spencer*, Halifax, Yorkshire, woolsorter, June 21 at 10, County Court of Yorkshire, at Halifax.—*James Baker*, Whippingham, Isle of Wight, Hampshire, working lace maker, June 25 at 10, County Court of Hampshire, at Newport.—*George Jones*, Emsworth, Hampshire, schoolmaster, June 26 at 10, County Court of Hampshire, at Portsmouth.—*George Harding*, Reach, Burwell, Cambridgeshire, labourer, June 25 at 10, County Court of Cambridgeshire, at Newmarket.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 17 at 11, before the CHIEF COMMISSIONER.

John Hartley, High-st., Notting-hill, Kensington, Middlesex, greengrocer.

June 21 at 10, before Mr. Commissioner LAW.

James Read, Brecknock-st., Camden New-town, Middlesex, out of business.

June 22 at 11, before Mr. Commissioner PHILLIPS.

George Benjamin, Great Prescott-street, Goodman's-fields, Middlesex, dealer in cigars.—*Winifred Melanotte*, widow, Brick-lane, St. Luke's, Middlesex, milk dealer.—*Jas. Dixon*, High-st., Shadwell, Middlesex, butcher.—*William Cheesman*, Henry-st., Portland-town, Marylebone, Middlesex, law writer.

June 24 at 11, before Mr. Commissioner PHILLIPS.

Isaac Mackrow, Salmon's-lane, Limehouse-fields, Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 21 at 11, before Mr. Commissioner HARRIS.

James Green, Bryanstone-square, Marylebone, Middlesex, carpenter.—*Henry Wm. Dempsey*, Whitechapel-road, Middlesex, operative chemist.—*Joseph Bland*, Paradise-place, Bradmore, Hammersmith, Middlesex, gentleman.

June 21 at 10, before Mr. Commissioner LAW.

John C. Francis, Ely-place, Holborn, Middlesex, general agent.

June 22 at 11, before Mr. Commissioner PHILLIPS.

Reuben Watts, Bell-yard, York-st., Westminster, Middlesex, out of business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Patrick Bedford, Liverpool, out of business, No. 72,447; *Matthew Kehoe*, assignee.—*Wm. Turner*, Red Bank, Manchester, joiner, No. 72,407; *Charles Hunt*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, June 21 at 11.

Thos. Booth, Thornhurst, Birtle-cum-Bamford, near Bury, coal dealer.—*Samuel Tilling*, Everton, near Liverpool, out of business.—*Richard Holden*, Height-end, Rosendale, joiner.—*S. Glover*, Manchester, attorney at law.—*Joshua Paton*, Salford, cotton spinner.—*Esos Stenden*, Great Harwood, near Blackburn, butcher.—*William Postlethwaite*, Sandhills, near Ulverston, joiner.—*James Whitehead*, Blackburn, cotton spinner.—*Charlotte Robinson*, widow, Manchester, out of business.—*Henry Cotton*, Liverpool, out of business.—*Wm. Tinks*, Liverpool, nail dealer.—*John Garraide*, Holt-mill, near Blackburn, corn miller.—*John Edmondson*, Hulme, silk manufacturer.—*Joseph E. Dickar*, Liverpool, bookkeeper.

At the County Court of Lancashire, at MANCHESTER, June 20 at 11.

Alce Broughton, Manchester, lodging-house keeper.—*S. Norris*, Manchester, lodging-house keeper.

At the County Court of Carmarthenshire, at CARMARTHEN, June 25 at 2.

John Thomas, Garwgan, Llanarthney, farmer.—*J. Bevan*, Llanysgon, labourer.

At the County Court of Suffolk, at IPSWICH, June 21 at 10.

Samuel Green, Semer, near Hadleigh, assistant to a wheelwright.

At the County Court of Yorkshire, at YORK CASTLE, June 23 at 10.

Charles Farrer, Norton, near Malton, out of business.—*Francis Colley*, Barnsley, out of business.—*William Robson*, Ingleby Greenhow, near Stokesley, labourer.—*John Alderson*, Muker, in Swaledale, joiner.—*Benjamin Lockwood*, Sheffield, out of business.—*Thomas Crouther*, Hunstret, near Leeds, cattle dealer.—*John Rook*, Monk Bretton, near Barnsley, butcher.—*Thomas Beaumont*, Hightown, near Leeds, out of business.—*Martin Swallow*, Kirkgate, Huddersfield, tobacconist.—*Owen Canfield*, Bradford, out of business.—*Collin Upton*, Leeds, out of business.—*Henry Peacock*, Leeds, out of business.—*Thomas Fawell*, Duchy-cottage, near Harrogate, out of business.—*John Clarkson*, West Stonesdale, near Reeth, out of business.—*Edmund T. Clarkson*, West Stonesdale, near Reeth, lead miner.

At the County Court of Cheshire, at CHESTER CASTLE, June 24.

John Parker, Edgeley, Stockport, cotton weaver.—*Samuel Slater*, Congleton, out of business.—*Joseph Allert*, Winsford, out of business.—*George Dodd*, Gilden Sutton, near Chester, cowkeeper.—*John Hughes*, Gilden Sutton, near Chester, labourer.—*Thomas Davidson*, Chester, railway clerk.—*Richard P. Glynn*, New Brighton, out of business.—*John Walker*,

Macclesfield, out of business.—*John B. Bellin*, Malpas, surgeon.—*Wm. Sutton*, Stockport-moor, Stockport, salesman.—*John Savage*, Macclesfield, bone dealer.—*Thomas Savage*, Macclesfield, bone dealer.—*Wm. H. Ingleby*, Birkenhead, in no business.—*Lydia Davies*, Chester, out of business.

At the County Court of Hampshire, at PORTSMOUTH, June 26.

George Lock, Portsmouth Point, victualler.

MEETING.

John Hayes, Edgerton, near Birmingham, gentleman, July 2 at 11, Woodward's, Bouverie-st., Fleet-st., sp. aff.

The Queen has been pleased to grant the dignities of a Viscount and Earl of the United Kingdom of Great Britain and Ireland unto Charles Christopher Baron Cottenham, Lord High Chancellor of Great Britain, and his heirs male, by the names and titles of Viscount Crowhurst, of Crowhurst, in the county of Surrey, and Earl of Cottenham, of Cottenham, in the county of Cambridge.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—*John Addinell Bromett*, of Tadcaster, Yorkshire; *William Machin*, of Audlem, Cheshire; *Henry Davies*, of Oswestry, Shropshire.

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The Jurist

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JUNE 15, 1850.

PRICE 1s.

* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

House of Lords	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Queen's Bench { G. J. P. SMITH, Esq. of the Inner Temple; and W. B. BRETT, Esq. of Lincoln's Inn, Barristers at Law.	
Privy Council	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	Queen's Bench Bail Court { H. PELLY HINDE, Esq. of the Inner Temple, Barrister at Law.	
The Lord Chancellor's Court	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Common Pleas, including Appeals under Registration of Voters Act. . . { W. PATERSON, Esq. of Gray's Inn; and J. R. BULWER, Esq. of the Inner Temple, Barristers at Law.	
Master of the Rolls Court {	G. Y. ROBSON, Esq. of the Inner Temple, Barrister at Law.	Court of Exchequer { W. M. BEST, Esq. of Gray's Inn, Barrister at Law.	
Vice-Chancellor of England's Court	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	Ecclesiastical and Admiralty Courts	{ J. P. DEANE, D.C.L. of Doctors' Commons.
Vice-Chancellor Knight Bruce's Court.....	{ W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.	Cases in Bankruptcy....	{ W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Crown Cases Reserved..	{ ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, JUNE 15, 1850.

THE people of this country appear just now to have adopted the idea, not merely that there is much in the law and its administration that requires reform, but that every legal institution must necessarily be the better for change; and accordingly any proposition respecting the law, so that it be but to *change* the law, or the functions of any class of lawyers, is hailed with approbation in the House of Commons. If the change be one apparently prejudicial to the supposed interests of the Bar, its popularity is of course doubled.

To the conductors of this journal certainly not much of prejudice against legal reform can be imputed. They have been always among the first to *suggest* reforms, and among the foremost in urging on the Profession a ready and liberal reception of the reforms proposed by those who have the power of making them. They may claim, therefore, some share of confidence and attention when they oppose the too prevalent desire of changing everything in and about the law for the mere sake of change, and of changing legal institutions of great importance at a moment's notice.

The particular proposition on foot, to the discussion of which these remarks tend, is, of course, that of abolishing the office of Lord Chancellor, and dividing it into a Chief Judge in Equity and a political Chancellor. Upon this subject some very plausible but common-place arguments often have been, and will again be, put forward. The principal argument for the separation is based upon the assumption that great inconvenience to suitors arises: first, out of the pressure on the Chancellor's time of his political duties; secondly, out of his being necessarily a keen political partisan; and

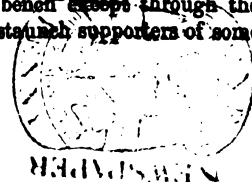
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thirdly, out of the change of judge with any change of Administration.

As to the objection of the heavy taxes on the Chancellor's time and attention, if it were found that in consequence of them the Chancellor's judicial business was not done, and that arrears continued to accumulate, there might be something in the argument. But if, as is on the contrary the general fact, and as certainly was the fact while Lord Cottenham was in the enjoyment of health, the Chancellor's judicial business is done, and thoroughly well done, the question, whether the Chancellor is overworked, is one for the consideration of the person who fills the office of Chancellor, and if he does not complain, the public at least need not. The truth is, that the Chancellor's judicial business is not heavy—at least, for such a mind as a man must possess to be at all fit to be a Chancellor. The judicial business of the Court of Chancery, with the exception of the lunacy business, which is neither very large nor very difficult, consists, as all equity lawyers know, almost exclusively of appeals; and though such business is of great importance and difficulty, it is not, in point of quantity, at all to compare with the business of the other judges.

The next objection, that a Chancellor must be a keen political partisan, might be an objection, if it could be shewn that in being so he differs from other judges, or that his being so ever produces a practical maladministration of justice. Now, it is scarcely necessary to point out that three-fourths of all the judges who have ever sat upon the bench have been keen political partisans; and that they are necessarily so, because, under our much, and perhaps justly, praised *political* institutions, few lawyers ever reach the bench except through the House of Commons, and as staunch supporters of some



political party. It is idle to suppose that a man, who has been a keen Whig, or Liberal, or Tory from the age of thirty to that of fifty, loses immediately all his opinions and feelings merely because he ascends the bench. The contrary is known to be the fact; and on the *fixed* bench, if we may be pardoned the expression, at this day are seated many men of notoriously strong political opinions. As to any supposition that a Chancellor may be less upright because he is removable, it is founded on a total misconception of the real nature of his tenure of office. The so-much-valued independence of the judges, secured in the reign of William III, was and is their *personal and individual* independence, not their independence connected with their party or opinions. A Judge of the common law, or a Vice-Chancellor, not being a minister, would be personally dependent, to some extent, on the will of the Crown, if his position were not, as it is, secured by act of Parliament. But the Chancellor, being always one of the most important men of the Ministry to which he belongs, is personally as independent of the Crown as if he held the office *quamdiu bene se gesserit*. The party, of which he is always a leading member, may go out, and he with it; but the Crown cannot turn out a Chancellor, unless it is strong enough to turn out his party. The notion, therefore, of there being any pressure on a Chancellor arising out of the influence of the Crown, we take to be a mere piece of fiction, capable of supporting a rounded period, but quite incapable of being supported by sound argument.

The supposed inconvenience of the Chancellor going out with each Ministry, with reference to its operation in causing delay and expense to the parties to part heard causes, is next to be considered. Now, this is a mere question of proportion. Such an inconvenience must occur occasionally, whether the Chancellor be a minister or a fixed judge, because judges, however irremovable by human causes, must, at least, die like other people; and, if it be borne in mind that men are very seldom made Chancellors till they are comparatively old, it may be, perhaps, assumed that, looking at the average duration of Ministries in this country, death and decline of health would make as many removals of Chancellors as would arise from changes of Ministry. But, however this may be as a statistical fact, the remedy is obvious and simple. If by an act of Parliament every Chancellor, on going out, were to remain capable of hearing, and bound to hear, and empowered to give a binding judgment in all cases partly heard before himself, the difficulty would be at an end.

We believe we have noticed the principal objections which it has occasionally been, and is now again, the fashion to make to the present constitution of the Chancellor's office. Let us now look at some of the considerations in its favour. Before dismembering the high office of Lord Chancellor, it should be considered what indirect political benefit arises from the existence of so high an office, attainable by any man, however humble his birth, if his talents, his industry, and his force of character are great. In every community there are ambitious spirits, whose tendency is to be rulers over men, and who *will* be rulers *per fas aut nefas*. In this country such men become legitimately rulers, as leaders in the cabinet, chancellors, archbishops, com-

manders-in-chief; and much of the political tranquillity of our country depends upon the fact, that there are a few such positions, which are little less than regal.

But to take a somewhat lower view, and consider only the effect on the Profession, and through it on the suitors. It is beyond question that it is to the advantage of suitors that the Bar should be composed of a high class of men; we do not mean high in the sense merely of high birth or great wealth, but high in the tone of their minds and feelings. And it is equally beyond question that nothing so much aids the growth of such feelings in the Bar, as the knowledge that the head of the Profession is in power and honour next only to the Sovereign, or to the First Minister of the State; and that though to no mediocrity can such a prize in life be accorded, yet to all it is open; and that the struggle to reach it ennobles and invigorates even those who are not winners in the race. If there were no higher office to be obtained by toiling at the Bar, than that of a county court judge, there would assuredly be no Broughams, nor Lyndhursts, nor Cottenhams at the Bar. And if the highest attainable prize was to be one of the three *equal* chiefs, though there might still be great men in the Profession, it would not, as it now does, attract within its ranks all that is brightest in intellect, and strongest in heart, in the infinitely varied classes of this community.

REGULA GENERALIS.

CROWN CASES RESERVED.—COURT OF CRIMINAL APPEAL.

TRINITY TERM, 13 VICTORIA.

The following rules regulating the practice of this Court have been promulgated by the authority of the Judges:—

Whereas, by an act made and passed in the 11th and 12th years of the reign of her present Majesty, intitled "An Act for the further Amendment of the Administration of the Criminal Law," it is amongst other things enacted, that when any person shall have been convicted of any treason, felony, or misdemeanour, before any court of oyer and terminer, or gaol delivery, or court of quarter sessions, the judge, or commissioner, or justices of the peace, before whom the case shall have been tried, may, in his or their discretion, reserve any question of law which shall have arisen on the trial for the consideration of the Justices of either Bench and Barons of the Exchequer.

That the judge, or commissioner, or court of quarter sessions, shall thereupon state, in a case signed in the manner now usual, the question or questions of law which shall have been so reserved, with the special circumstances upon which the same shall have arisen, and such case shall be transmitted to the said Justices and Barons.

And whereas it is expedient that regulations be made for the convenience of the Court established under the said recited act.

It is ordered, that when any case shall be transmitted by a court of oyer and terminer, or gaol delivery, or court of quarter sessions, for the consideration of this Court, the original case, signed by the judge, or commissioner, or chairman of sessions reserving the question of law, and seventeen copies of such case, one for each judge, and one for each party, shall be delivered to the clerk of this Court, at the Exchequer Chamber

Westminster, at least four days before the day appointed for the sitting of the said Court.

That every case transmitted for the consideration of this Court briefly state the question or questions of law reserved, and such facts only as raise the question or questions submitted. If the question turn upon the indictment, or upon any count thereof, then the case must set forth the indictment, or the particular count.

That no case be heard upon any demurrer to the pleadings.

That every case state whether judgment on the conviction was passed, or postponed, or the execution of the judgment respited, and whether the person convicted be in prison, or has been discharged on recognisance of bail to appear and receive judgment, or to render himself in execution.

That when any case is intended to be argued by counsel, or by the parties, notice thereof be given to the clerk of this Court at least two days previously to the sitting of the said Court.

That with every case delivered to the Judges of this Court (except such cases as shall be reserved by such Judges) the fee payable to the clerks of the said Judges shall not exceed the fee payable on "demurrer and other paper books," as contained in the table of fees allowed and sanctioned by the Judges, pursuant to the stat. 1 Vict. c. 30.

(Signed)	CAMPBELL.	R. M. ROUSE.
	THO. WILDE.	WM. WIGHTMAN.
	FRED. POLLOCK.	C. CRESSWELL.
	J. PARKER.	W. ERLE.
	E. H. ALDERSON.	T. J. PLATT.
	J. PATTERSON.	E. V. WILLIAMS.
	J. T. COLERIDGE.	T. N. TALFOURD.

Read in open Court, 1st June, 1850.
Richard Morris.

COURT OF COMMON PLEAS.

TRINITY TERM.—13 VICTORIA.—June 11, 1850.

This Court will, on Monday the 24th day of June instant, hold a sitting, and will proceed to give judgment in certain of the matters that will then be standing over for the consideration of the Court.

C. CRESSWELL.

Reviews.

Counsel to Inventors of Improvements in the Useful Arts.
By THOMAS TURNER, of the Middle Temple. 12mo., pp. 109. [Elsworth.]

Mr. Turner has already proved his qualification for the office of adviser to inventors, by his clever and original Treatise on Copyright in Designs in Art and Manufactures, (noticed 13 Jur., part 2, p. 270). The title of his present little work suggests a more adventurous design; for no men are more stiff-necked and impatient of advice than projectors. Inventiveness, real or imaginary, is a disease wherein the patient generally prefers to minister to himself. The title of the book, however, is almost a misnomer; for the author is very seldom didactic, though every sentence gives the reader occasion to think. The book abounds in suggestions, or rather in suggestive anecdotes and allusions, derived from an extensive and accurate knowledge of the history of invention in this country. Brief allusions to a statement of the various patent cases decided on in our courts serve to convey a clear notion of the principle of the law relating to patents, which consists of nothing more than the decisions in those cases, founded on the famous exception in the Statute of Monopolies.

In the first part, Mr. Turner describes the class of inventors, and the various forms, modes, and accidents of invention, in a style of which the following extracts may serve as specimens:—

"The supply of this article—inventiveness—must be obtained from any source that will yield it. All classes send more or less to market. Some authors love to dwell on contributions to practical science—of working men, Stephenson and Arkwright, Radcliffe, Crompton and Hargreave, and, less absolutely, Wall. But the list of engineers is spangled here and there with titles and coronets: a scientific instrument renders us familiar with the name of Orrery." [The Earl of Orrery was, however, merely the patron of Rowley, who copied the original instrument by Graham.] "The Stanhope printing press was a decided advance in the most intellectual of manufacturing arts. The Marquis of Worcester is conspicuous among the inventors of the past; and steam owes something to Lord Dundonald among those of the present."

"We have been speaking of the objects of invention, and now come to the means to be employed; and, on this head, the first rule must be, before commencing the future, to look into the past. Too much stress cannot be laid upon it. 'It is a maxim equally to be regarded in art and science, that the man who aspires to fortune or to fame by new discoveries, must be content to examine with care the knowledge of his contemporaries, or to exhaust his energies in attempting again what he will most probably find has been better done before.' . . . But it is not only his predecessors' learning that must be mastered—he must diligently acquaint himself with all the accessible science that exists in his own time. To do this completely is, indeed, impossible; and, even as to the attainable extent, the subject is too long and too difficult to be treated here. Nor has the process of invention ever been methodised into a systematic form; the materials for such a work lie widely scattered throughout the province of mechanics and chemistry on the one hand, and logical and metaphysical science on the other. There are no schools for contrivance—no professors of the art of useful design."

Mr. Turner then refers to the admirable discoveries of Herschell, and the useful, though far inferior, works of Whewell and Babbage. We think he errs when he describes Mill's Logic as a work "which may be referred to as a masterly exposition of the mode of dealing with natural objects and phenomena, their properties, laws, and relations." The first part of Mr. Mill's work is the best treatise on ratiocinative logic with which we are acquainted; but the second part, on inductive logic, which is here referred to, appears to us to be an ingenious and elaborate failure. The author has evidently as little genius for experimental philosophy as Dr. Whewell has for metaphysical, and may be cited, with Lord Bacon, as an illustration of the remark, that, with the exception of Aristotle, no man has ever excelled at once in physics and metaphysics. The student of natural philosophy might, indeed, study the details of the nervous organism with much more profit than Mr. Mill's second volume.

In the second part, which comes more within our province, Mr. Turner treats of the legal rights of inventors—of secret processes, of patents, and of registration. Here his explanations are systematic, lucid, and accurate, and singularly concise. We have only space for two more extracts. The first, on the title to a patent:—

"Even where the patent states the object or purpose with precision, it may divulge little of the means employed, which constitute the difficulty, and therefore the merit, of the invention. But then it is necessary, in stating the end or object, to understand clearly the

'nature and reason of the utility, and look forward to the probable or possible range of application it may be capable of. Thus, a combination of flexible wire, with a coating or covering of gutta percha, was claimed as a mode of making bands and straps for harness, carriages, &c.; but this could hardly be deemed to include the unforeseen use of such on the electric telegraph wires, which cannot fairly be considered as bands or straps. When any mention of the means employed does appear in the title, it is usually under general expressions, such as 'a certain vegetable substance,' 'a certain elastic mineral,' &c. Under the modern acts, however, a patentee may at any time, by leave of the Attorney-General, disclaim a part of his invention which encumbers or endangers the rest, giving the public notice of his intention, and subject to opposition; but he must take good heed to disclaim really, not verbally. If the patent be for pumps and oscillating steam-engines, he may safely drop one or the other subject; but if he disclaim the word 'oscillating,' he really extends his claim, and so vitiates his patent."

After explaining the niceties of the "specification," Mr. Turner says—

"The best advice that can be given to the claimant is to get first a clear and vivid conception of his idea, and the principles of science it relies on, and a familiarity with the mode of practising it, and then to put it into professional hands, employing a competent man, which involves the paying him for his trouble. A good patent is worth this. As to a flying machine, the owner prudently saves agency by writing his own specification."

Lincoln's Inn, its Ancient and Modern Buildings, with an Account of the Library. By WILLIAM HOLDEN SPILSBURY, Librarian. 12mo., pp. 340.

[Pickering.]

This is an agreeably-written guide book by a gentleman of education, who has had access to the best sources of information. The description of the details of that marvel of modern architecture, the new Hall and Library, is excellently given, in very choice terms of art. But the principal and most interesting part of the work is the account of the library, and notices of the many rare printed books and valuable manuscripts with which it has from time to time been enriched by the judicious liberality of numerous donors. Passing over the well-known works which are expected to be found in such a library as a matter of course, Mr. Spilsbury gives an interesting classified catalogue raisonnée of the vast stores of ancient and foreign law books, and historical and other works of unfrequent occurrence, contained in the collection under his care.

The Law relating to Transactions on the Stock Exchange. By HENRY KEYSER, Esq., of the Middle Temple, Barrister at Law. 12mo., pp. 357. [H. Butterworth.]

Mr. J. J. Wilkinson's Treatise on the Law relating to the Public Funds was published in 1839, and, though an accurate and able performance, has not yet reached a second edition. The present work has the advantage of containing the recent cases, including those relating to the sale of shares in joint-stock companies. It also contains some information on a few subjects which were not noticed by Mr. Wilkinson. But in every other respect it is an inferior work, and is not always accurate. There is little reference to general principles of law. Notices of the cases are thrown together with scarcely any regard to arrangement, and consequently with little or no intimation, by the usual signs, of the change of subject; and occasionally some obsolete case or principle is separated by many pages

from the enactment or decision which has superseded it. Thus, at p. 51, it is said that

"South Sea Annuities are, by act of Parliament, considered merely as such, and are exactly in the case of a common annuity payable half-yearly, where the annuitant dies before the half year is completed; so that the purchaser of a life interest in such annuities is not entitled to receive the half-yearly dividend payable on them if the annuitant die before the dividend becomes payable."

The Apportionment Act, 4 & 5 Will. 4, c. 22, is not noticed here, but at p. 242; and even there there is no intimation of the doubt that has been raised, whether it applies to annuities existing before it passed, and subsequently assigned or bequeathed for partial interests. At p. 34 we have an example of the reference to cases without any perception or indication of the distinctions which they establish, and leading naturally to an apparent contradiction:—

"A legacy of 'all my stocks that I may be possessed of at my &c.,' no particular stock being referred to, is not rendered specific by the pronoun 'my.' (*Parrott v. Worsfold*, 1 J. & W. 594).

"The words 'of my stock,' or 'in my stock,' or 'part of my stock,' render a legacy specific.

"Many cases have established the principle, that the word 'my' suffices to render a legacy of stock specific. (2 Bro. C. C. 708; 5 Ves. 461; 2 Mad. 280; 1 J. & W. 102)."

As an example of the misarrangement of the matter, and of the consequences, we may refer to pp. 223, 233. In the former page the decision of Sir J. Knight Bruce, in *Wynne v. Price*, (13 Jur. 295), that scrip certificates for shares in a joint-stock company are legally saleable, overruling *Jackson v. Cocker*, (4 Beav. 59), is cited. That is followed by a statement of the decision in *Roy v. Burton*, (5 Dowl. 452), which is a mere technical point of pleading. Then come *The Sheffield &c. Railway Company v. Woodcock*, (7 M. & W. 574); *Bagshaw v. The Eastern Union Railway Company*, (7 Hare, 114); *Ross v. Moore*, (1 C. B. 227); and *Dun-craft v. Albrecht*, (12 Sim. 189), cases relating to the sale of shares, including a case (*Archer v. Williams*, 2 Car. & K. 26) relating to the deposit of scrip; and then for the first time, and without renewed intimation that it has been overruled, is *Jackson v. Cocker* stated; and *Phene v. Gillam* (5 Hare, 1) is cited as deciding the same point, although that case had nothing to do with scrip, and contains no reference to *Jackson v. Cocker*.

London Gazette.

TUESDAY, JUNE 11.

BANKRUPTS.

GEORGE HAINES, Northampton, grocer, June 19 at 1. and July 17 at half-past 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Dennis, Northampton; Hennessy, Basing-lane.—Petition filed June 3.

ROBERT CAMPLING, Norwich, haberdasher, hosier, dealer and chapman, June 28 and August 6 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Jay & Pilgrim, Norwich; Jay, 14, Bucklersbury.—Petition filed June 7.

GEORGE KILNER, Dalton, Kirkheaton, Yorkshire, coal merchant, June 27 and July 26 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Fenton & Jones, Huddersfield; Shaw, Leeds.—Petition dated May 27; filed May 29.

JOHN WAREING, Liverpool, draper, dealer and chapman, June 24 and July 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Fletcher, Liverpool; Dickson & Overberry, Old Jewry, London.—Petition dated May 29.

MAURICE JARVIS, Leeds, Yorkshire, wool merchant, June 27 and July 26 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. J. & J. W. H. Richardson, Leeds.—Petition dated and filed June 6.

THOMAS SMITH, Liverpool, cheesemonger and provision dealer, June 24 at 12, and July 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sols. Evans & Son, Liverpool.—Petition dated June 8.

THOMAS BAXENDALE, Bolton-le-Moors, Lancashire, grocer, dealer and chapman, June 21 and July 11 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Richardson & Marsland, Bolton-le-Moors.—Petition filed May 31.

JONAS HARROP, Macclesfield, Cheshire, silk dyer, dealer and chapman, June 26 at 11, and July 22 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Sale & Co., Manchester; Reed & Co., Friday-street, Cheap-side, London.—Petition filed May 27.

MARTINGS.

Edward Dixon, Gravesend, Kent, oil and colour man, July 4 at 11, Court of Bankruptcy, London, div.—**William Brown**, Suffolk-lane, Cannon-street, London, and Pimlico, Middlesex, stone merchant, July 2 at 1, Court of Bankruptcy, London, fin. div.—**William Harper**, Cowper's-court, Cornhill, London, merchant, July 2 at 12, Court of Bankruptcy, London, div.—**John Harrington**, Manchester, commission agent, July 4 at 11, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Hollingworth, Kingston-upon-Hall, shipowner, July 3 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hall.—**Thos. Ross** the younger, Burton Joyce, Nottinghamshire, braid manufacturer, July 12 at 10, District Court of Bankruptcy, Nottingham.—**David Henry Bereford**, Stockport, Cheshire, linendraper, July 4 at 11, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

John Oliver Surtees, Wigmore-street, Cavendish-square, Middlesex, printer.—**Elizabeth Aydon** and **Thomas William Ferguson**, Newcastle-upon-Tyne, grocers.—**John Hill**, Prospect-place, Holloway, Middlesex, builder.—**George Davison**, Alnwick, Northumberland, carpenter.—**Henry Bensley**, Southtown, Suffolk, bricklayer.—**John Young**, Manby, Lincolnshire, innkeeper.

PARTNERSHIPS DISSOLVED.

Edward Prickett and **Benjamin Tompsett Noakes**, Aylesbury, Buckinghamshire, attorneys and solicitors.—**Charles Gabell** and **Arthur Richard Gabell**, Crickhowell, Breconshire, solicitors and attorneys at law.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Brown, Aspatria, Cumberland, boot maker, June 26 at 11, County Court of Cumberland, at Wigton.—**Thomas Wills**, Eglosayle, Cornwall, farmer, July 3 at 11, County Court of Cornwall, at Bodmin.—**George Southee**, Canterbury, Kent, out of business, June 20 at 11, County Court of Kent, at Canterbury.—**Wm. Ruglys**, Canterbury, Kent, assistant to a farmer, June 30 at 10, County Court of Kent, at Canterbury.—**John Little**, New Ferry, Bebington, Cheshire, baker, June 14 at 10, County Court of Cheshire, at Birkenhead.—**S. Pitt**, Little Dean, Gloucestershire, shopman, July 1 at 11, County Court of Gloucestershire, at Newnham.—**Wm. Frank**, Long Sutton, Lincolnshire, farmer, July 11 at 12, County Court of Lincolnshire, at Holbeach.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 25 at 2, before the CHIEF COMMISSIONER.
Wm. Martin, Barking, Essex, fisherman.

June 25 at 11, before Mr. Commissioner HARRIS.

James Butler, South Molton-street, Oxford-st., Middlesex, architect.—**Thos. Wall**, Urple-place, Church-st., Kensington, Middlesex, carpenter.—**George H. Galloway**, London-street, Greenwich, Kent, cheesemonger.—**William Dyer**, Deptford-bridge, Deptford, Kent, shoemaker.—**R. Woolcock**, Elliott's-row, St. George's-road, Southwark, Surrey, out of business.

June 26 at 10, before the CHIEF COMMISSIONER.

George Oliver, Union-st., Grosvenor-row, Pimlico, Middlesex, coal merchant.—**James T. Dixon**, Cannon-street-road, St. George's-in-the-East, Middlesex, butcher.

June 26 at 1, before Mr. Commissioner LAW.

James Crocher, Pitt's-place, Old Kent-road, Surrey, linendraper.—**Charles Stuart**, Russell-grove, Vassall-road, North Brixton, Surrey, clerk.

Saturday, June 8.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. D. Bramwell, Armitage-bridge, near Huddersfield, Yorkshire, grocer, No. 72,439 C.; **John Dyson**, assignee.—**John Forth**, Skelmanthorp, near Huddersfield, Yorkshire, farmer, No. 72,257 C.; **Joseph Field**, assignee.—**John K. French**, Huddersfield, Yorkshire, cloth salesman, No. 72,305 C.; **Thomas Styling**, assignee.—**Thos. Cundale**, South Cowton, Northallerton, Yorkshire, farmer, No. 64,597 C.; **Thos. C. Hammond**, assignee.—**James Balls**, Chandos-st., Covent-garden, Middlesex, victualler, No. 61,483 T.; **Joshua Penny**, assignee.

Saturday, June 8.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

George Blinney, Kenal-green, Middlesex, schoolmaster: in the Debtors Prison for London and Middlesex.—**Eleanor Mackenzie**, Dawley-house, Hayes, near Uxbridge, Middlesex, schoolmistress: in the Debtors Prison for London and Middlesex.—**John Cask**, Warwick-street, Golden-sq., Middlesex, tailor: in the Debtors Prison for London and Middlesex.—**Robert Walker**, Moreton-st., Vauxhall-bridge-road, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—**James Rickworth**, St. Ann's-terrace, St. John's-wood, Middlesex, money agent: in the Queen's Prison.—**T. Bristow**, Wardour-st., Soho, Middlesex, cowkeeper: in the Queen's Prison.—**Richard Allanson**, Deansgate, Manchester, in no business: in the Gaol of Lancaster.—**David Bevan**, Rhyney Iron-works, Monmouthshire, haulier: in the Gaol of Monmouth.—**Hen. Mason**, Chorlton-upon-Medlock, Manchester, out of business: in the Gaol of Lancaster.—**Samuel Tilling**, Everton, near Liverpool, licensed victualler: in the Gaol of Lancaster.—**Wm. Tonks**, Liverpool, nail dealer: in the Gaol of Lancaster.—**Joseph R. Dicker**, Liverpool, bookkeeper: in the Gaol of Lancaster.—**Wm. Henry Ingley**, Birkenhead, Cheshire, in no business: in the Gaol of Chester.—**James Marshall**, Becton, near North Walsham, Norfolk, carpenter: in the Gaol of Norwich.—**T. Savage**, Macclesfield, Cheshire, bone dealer: in the Gaol of Chester.—**J. Savage**, Macclesfield, Cheshire, bone dealer: in the Gaol of Chester.—**James Whitehead**, Blackburn, Lancashire, cotton spinner: in the Gaol of Lancaster.—**Wm. Wood**, Nethertown Farm, Pencoed, Herefordshire, farmer: in the Gaol of Hereford.—**D. Clement**, Neath, Glamorganshire, saddler: in the Gaol of Cardiff.—**David Davies**, Madeley, Shropshire, grocer: in the Gaol of Coventry, Warwickshire.—**W. Griffiths**, Birmingham, gunmaker: in the Gaol of Coventry.—**Sebastian Bond Hoggood**, Saundersfoot, Pembrokeshire, manager of the Pembrokeshire Iron and Coal Works: in the Gaol of Haverfordwest.—**Duncan Mackenzie**, Weston-super-Mare, Somersetshire, assistant surgeon in the East India Company's Service: in the Gaol of Wilton.—**John Taylor**, Nottingham, frame-work knitter: in the Gaol of Nottingham.—**Nath. Bromly**, Chatham-place, Pitt-st., Old Kent-road, Surrey, farmer: in the Gaol of Springfield.—**Harry Downing Guter**, Birmingham, mine agent: in the Gaol of Worcester.—**John Robinson**, Long Buckby, near Daventry, Northamptonshire, grocer: in the Gaol of Northampton.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 25 at 11, before Mr. Commissioner LAW.

Charles Massi, Noble-st., Goswell-st., Middlesex, philosophical apparatus manufacturer.—Wm. Knighton, jun., Leather-lane, Holborn, Middlesex, tallow chandler.—Thos. Jon. Page, South-street, Greenwich, Kent, out of business.

June 26 at 10, before the CHIEF COMMISSIONER.

Samuel Grenville Fletcher, Wellington-st. North, Strand, Middlesex, author.

June 26 at 1, before Mr. Commissioner LAW.

John Mackinn, Prospect Dairy, Wandsworth-road, Surrey, cowkeeper.

June 27 at 11, before Mr. Commissioner PHILLIPS.

John William King, Trinity-place, Charing-cross, Middlesex, out of business.—John Wood, Woodford, Essex, carpenter.—James Richard William Holding, Neokinger-road, Brompton, Surrey, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Oxfordshire, at OXFORD, July 23 at 2.

Henry Robert Braine, Oxford, in no business.

At the County Court of Warwickshire, at COVENTRY, June 26.

William Griffiths, Birmingham, out of business.

At the County Court of Essex, at CHELMSFORD, June 27.

Stephen James Dean, Springfield, carrier.—Henry Moore, Clavering, near Saffron Walden, miller.—Abraham Wakefield, Braintree, brewer.—Nathaniel Bromby, Chatham-place, Pitt-street, Old Kent-road, Surrey, out of business.

At the County Court of Somersetshire, at TAUNTON, June 27 at 10.

Frederick Hinge, Walcot, Bath, out of business.—James Downey the younger, Sea, near Ilminster, carrier.—Philip Deady, Bath, in no business.—John Murray Withers, Walcot, Bath, commission agent.—Thos. Richards, Long Sutton, near Langport, in no business.—James Williams the younger, Haygrove, Bridgwater, butcher.—Duncan Mackenzie, Weston-super-Mare, assistant surgeon in the Honourable East India Company's Service.—Wm. Mead, Creech St. Michael, near Taunton, butcher.

INSOLVENT DEBTORS' DEBTS.

Fellow Coffin, Coburg-place, Old Kent-road, Surrey, master in the Navy: 1s. 1½d. in the pound.—George Brown, Great Chapel-street, Westminster, Middlesex, grocer: 1s. 6½d. in the pound.—Robert Birch, Hayes, Middlesex, baker: 7s. in the pound.—John Roberts, Watlington, Llanstadwell, Pembrokeshire, greaser: 20s. in the pound.—Wm. Walker, Plymouth, Devonshire, clerk in the Royal William Victualling Yard: 3s. 3½d. in the pound.—John Andrews, Withen, near Lynnhurst, Hampshire, baker: 7s. 8d. in the pound.—Frederick Augustus De Wilde, Wells-st., Oxford-st., Middlesex, tinsmith: 1s. 3½d. in the pound.—Thos. Murrell, Berwick-st., Soho, Middlesex, grocer: 10½d. in the pound.—Wm. Bennett, Globe Wharf, Surrey Canal-bridge, Old Kent-road, Surrey, coal dealer: 10½d. in the pound.—Edward Harrison, Aylesbury, Buckinghamshire, chemist: 6d. in the pound.—Thomas Edwin Roper, Milton, Gravesend, Kent, builder: 6s. in the pound.—Wm. Ridd, Beachwood-green, Kingswolden, Herefordshire, farmer: 3s. 7½d. in the pound.—Russell Hipkins, Park-st., Camden-town, Middlesex, carver: 20s. in the pound.—Henry Walton, Troutbeck, near Kendal, Westmorland, husbandman: 6s. in the pound.—George Walton, Troutbeck, near Kendal, Westmorland, farmer: 6s. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's Inn-fields, London, between the hours of 11 and 3.

FRIDAY, JUNE 14.

BANKRUPTS.

WILLIAM WALKER, George-yard, Crown-street, Soho, Middlesex, carriage-spring maker, dealer and chapman, June 21 at 12, and July 26 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Ford & Lloyd, 5, Bloomsbury-square.—Petition dated June 5.

JAMES KAYE, Bridge-row-wharf, Fimbo, Middlesex, coal and slate merchant, dealer and chapman, June 21 and July 26 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. J. & S. Langham, 10, Bartlett's-buildings, Holborn.—Petition dated June 12.

WILLIAM JACKSON, Lichfield, wine merchant, dealer and chapman, June 29 and July 29 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Dyott & Son, Lichfield; Reece, Birmingham.—Petition dated June 8.

FREDERICK STOESSIGER, Birmingham, jeweller, dealer and chapman, (carrying on business under the style or firm of F. Stoessiger & Co.), June 26 and July 24 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Hodgson, Birmingham.—Petition dated June 12.

JOHN M'GIBBON and **ARCHIBALD GALEBREATH**, Kingston-upon-Hull, traders, June 26 and July 17 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Wells & Smith, Hull.—Petition dated June 5.

MANUMES.

Alexander Denoon, Adam's-court, Old Broad-street, London, merchant, June 27 at 1, Court of Bankruptcy, London, pr. d.—**Agnes Ashcroft**, widow, Liverpool, and Stanhope-terrace, Gloucester-gate, Middlesex, shipowner, June 26 at 11, Court of Bankruptcy, London, ch. ass.—**Thomas Gardner**, Holt, Worcestershire, hotel keeper, July 1 at 10, District Court of Bankruptcy, Birmingham, last ex.—**James Killet**, Dorking, Surrey, carpenter, July 4 at 1, Court of Bankruptcy, London, and. ac.; July 5 at 12, div.—**William Edridge**, Long-acre, Middlesex, coachmaker, July 4 at 11, Court of Bankruptcy, London, and. ac.; July 5 at half-past 11, div.—**Wolf Hyams**, Portsea, and Node-hill, Newport, Isle of Wight, Hampshire, hardwareman, June 21 at 11, Court of Bankruptcy, London, and. ac.—**Thomas Pearce** and **William Abbott Pearce**, Chapmanslade, Wiltshire, clothiers, June 26 at 12, Court of Bankruptcy, London, and. ac.—**Henry Frederick Horneman**, Queen-street, Cheapside, London, merchant, June 26 at 1, Court of Bankruptcy, London, and. ac.—**Joseph Farrah**, Wych-street, Strand, Middlesex, victualler, June 26 at 1, Court of Bankruptcy, London, and. ac.—**William Walden**, Park-place, Mile-end, Middlesex, brush manufacturer, June 26 at half-past 12, Court of Bankruptcy, London, and. ac.—**Sarah Pethica**, Winchester, Hampshire, glazier, June 26 at 11, Court of Bankruptcy, London, and. ac.—**Nelson John Holloway**, Minorics, London, clock manufacturer, June 27 at 11, Court of Bankruptcy, London, and. ac.—**John Harrington**, Manchester, commission agent, and Bathorpe, Campton, Nottinghamshire, farmer, June 28 at 12, District Court of Bankruptcy, Manchester, and. ac.—**William Pauling**, Holyhead, Anglesea, hotel keeper, June 26 at 11, District Court of Bankruptcy, Liverpool, and. ac.—**William Cooper**, Coventry, Warwickshire, mercer, July 1 at 10, District Court of Bankruptcy, Birmingham, and. ac.—**John Brewster**, Sowerby-bridge, near Halifax, Yorkshire, timber merchant, June 27 at 11, District Court of Bankruptcy, Leeds, and. ac.—**Edwin Ryder**, Birmingham, jeweller, July 15 at 10, District Court of Bankruptcy, Birmingham, and. ac.—**Henry Carey Brown**, Winchester, Southampton, builder, July 5 at 1, Court of Bankruptcy, London, div.—**Charles Allen**, Crutched-friars, London, merchant, July 8 at 1, Court of Bankruptcy, London, fin. div.—**Robert Robson**, Newcastle-upon-Tyne, manufacturer of plaster of paris, July 4 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—**Benjamin Rushforth Broadbent**, Spothard, Rochdale, Lancashire, hannel-manufacturer, July 5 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Smartt, St. Dunstan's-hill, London, Custom-house agent, July 9 at 1, Court of Bankruptcy, London.—**Charles**

Henry Swann, Sandford, *John Swann*, Woodroasts, and *W. Swann*, Bynham, Oxfordshire, paper makers, July 11 at 1, Court of Bankruptcy, London.—*James Houbell*, Ingram-court, Fenchurch-st., London, and Dunston, Wickham, Durham, anchor and chain cable manufacturer, July 12 at half-past 11, Court of Bankruptcy, London.—*Wm. Ohttenden*, Turlington-place, and Church-st., Paddington, Middlesex, draper, July 11 at half-past 11, Court of Bankruptcy, London.—*John Brown*, Bristol, builder, July 16 at 11, District Court of Bankruptcy, Bristol.—*Jos. Fisher*, Cleve, Yatton, Somersetshire, money scrivener, July 9 at 11, District Court of Bankruptcy, Bristol.—*Henry Paris*, Liverpool, grocer, July 9 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Julius George Geyelin, Liverpool, zinc worker.—*William Fennellay Street*, Austin-friars, London, merchant.—*Charles Haylock*, March, Isle of Ely, Cambridgeshire, cabinet maker.—*E. T. Delafeld*, Fulham, Middlesex, brewer.—*Wm. Brown*, Wood-st., Cheapside, London, and Providence-house, East-st., Cambridge-heath, Bethnal-green, Middlesex, elastic hat-band manufacturer.—*Robert Potter Croft*, Lansdowne-villas, Brompton, and Haymarket, Middlesex, tavern keeper.—*Wm. Holliday*, Chatham, Kent, carpenter.—*Charles Snecsum*, Woodbridge, Suffolk, grocer.—*Walter Yonge*, Strand, Middlesex, watchmaker.—*Wm. Henry Swinton*, South-street, Finsbury, Middlesex, merchant.—*Thomas Lewis*, St. Sidwell, Exeter, shoemaker.—*John Croome*, Bristol, manufacturing engineer.—*James Johnson*, Sheffield, Yorkshire, razor manufacturer.—*Charles Burgin*, Sheffield, Yorkshire, steel manufacturer.—*George Hutton*, Sheffield, Yorkshire, grocer.—*S. Pirk*, Leeds, Yorkshire, linendraper.

SCOTCH SEQUESTRATIONS.

James Grant, Bowermadden, Bower, Caithness, farmer.—*Wm. Bell*, Wishawtown, Lanarkshire, grocer.—*David Miller*, Airdrie, grocer.—*James Brash*, North Berwick, mason.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Freeman, Godney-mareh, near Holbeach, Lincolnshire, farmer, July 11 at 1, County Court of Lincolnshire, at Holbeach.—*Theo. Smith*, Birmingham, bone-dealer, June 24 at 2, County Court of Warwickshire, at Birmingham.—*Edw. Lloyd*, Gwersyllt, Gresford, Denbighshire, out of business, June 21 at 10, County Court of Denbighshire, at Wrexham.—*John Chaloner*, Wrexham, Denbighshire, clerk at the Shrewsbury and Chester Railway Office, June 21 at 10, County Court of Denbighshire, at Wrexham.—*Jos. Snowden*, Moorthwaite, Cumwhitton, Cumberland, farmer, June 25 at 10, County Court of Cumberland, at Carlisle.—*R. Cropp Booth*, Dudley, Worcestershire, ironmonger, July 12 at 3, County Court of Worcestershire, at Dudley.—*Joseph Hodson*, Scarborough, Yorkshire, commercial traveller, June 24 at 11, County Court of Yorkshire, at Scarborough.—*Samuel Lotsey*, Aubourn, near Lincoln, farmer and common carrier, July 1 at 10, County Court of Lincolnshire, at Lincoln.—*Rich. Emmons*, Lincoln, horse breaker, July 1 at 10, County Court of Lincolnshire, at Lincoln.—*Wm. Potts*, Nottingham, wine merchant's clerk, July 5 at 9, County Court of Nottinghamshire, at Nottingham.—*Edward Townsend*, Bristol, cabinet maker, June 26 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 28 at 10, before the CHIEF COMMISSIONER.

Wm. Reid, Bedford-place, Commercial-road East, Stepney, Middlesex, oil and colour man.

June 29 at 10, before Mr. Commissioner LAW.

George Hollingdale, Waterloo-road, Lambeth, Surrey, dealer in water.—*Edwin Thompson*, Chapel-pl., Long-lane, Southwark, Surrey, corn dealer.—*John Louis Watson*, Broadway, Hammersmith, Middlesex, out of business.

June 29 at 11, before Mr. Commissioner PHILLIPS.

James Fairweather, Whitefriars-st., London, flour porter.

July 1 at 11, before Mr. Commissioner PHILLIPS.

James Law, Chelsea College, pensioner.—*Edward Hawcomb*, Beaumont, Shepherd's-bush, Hammersmith, Middlesex, carman.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 28 at 11, before Mr. Commissioner HARRIS.

Thomas Watson, Rhadol-terrace, River-terrace, Islington, Middlesex, omnibus driver.—*George Biney*, Kensal-green, Middlesex, schoolmaster.—*Thomas Peck* the elder, Baber-street, Goswell-street, Middlesex, bricklayer.

June 29 at 11, before Mr. Commissioner PHILLIPS.

Daniel P. Blake, St. Peter's-alley, Cornhill, London, shoe-maker.—*Charles Thomas*, Robert-street, Grosvenor-square, Middlesex, lodging-house keeper.

July 1 at 11, before the CHIEF COMMISSIONER.

Wm. Antonio Becker, Bucklersbury, London, commission agent.

Adjourned Case.

Henry V. Smith, Brompton-square, Brompton, Middlesex, accountant.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Nottinghamshire, at NOTTINGHAM, July 5 at 9:

William Best, Suelinton, out of business.

At the County Court of Lincolnshire, at LINCOLN, July 1 at 10.

Callias Bell, Swinestead, sheepkeeper.—*Edward England*, Bourne, miller.—*John Grooms*, Great Grimsby, draper.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—*William Rogers*, of Edinburgh; *John Alexander Handy*, of Malmesbury, Wiltshire.

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LONDON, JUNE 22, 1850.

IN a late case (*Dobson v. Land*, 14 Jur. 288) it has been decided by Wigram, V. C., that if a mortgagee of household property, who is not entitled to insure the premises by express contract, nevertheless does insure them without the privity of the mortgagor, he will not be entitled, on redemption by the mortgagor, to add the premiums of insurance to his mortgage debt. With great deference to the learned judge who decided that case, we venture to submit the following reasons why, it is conceived, that decision cannot be supported.

At law the mortgagee is the absolute owner of the mortgaged premises, and may deal with the property in all respects as if it were his own; he may fell timber, pull down houses, and commit all manner of waste, without incurring any liability to answer to the mortgagor for such proceedings in a court of law; and, before the jurisdiction of our Courts of equity had arisen, an unfortunate mortgagor, who had allowed his mortgage to become absolute at law, was without remedy, and lost his estate for ever. It is only through the medium of the Court of Chancery that the mortgagor can control the rights of ownership which the legal estate confers upon the mortgagee. Now, what is the principle on which the Court of Chancery interferes with those legal rights? That Court has never said that the mortgagee shall exercise none of his legal rights; that Court never, for instance, restrains the mortgagee from bringing ejectment to obtain possession; nor, if the security be not otherwise ample, will it restrain the mortgagee from exercising his legal right to fell timber. (*Witherington v. Banks*, Sel. Cas. Ch.). If the mortgagee, who is absolute owner at law, exercise his legal rights fairly and reasonably, for the

better securing of his mortgage debt, the Court of Chancery will not restrain him, but, on the contrary, considering those legal rights as part of the mortgagee's security for his debt, will decree redemption to the mortgagor only upon the terms of his indemnifying the mortgagee from all the expenses which the latter may have incurred in their fair and reasonable exercise. It is on this principle, that, if a mortgagee has made a settlement of the mortgage, the mortgagor must pay the costs of all the parties which such settlement has made necessary parties to a suit for redemption, notwithstanding that they are made necessary parties by the act of the mortgagee alone. (*Wetherall v. Collins*, 3 Mad. 255). "It seems at first sight," said Sir J. Leach, in giving judgment in this case, "a great hardship that the mortgagor is to pay the costs of persons claiming under the mortgagee, and made necessary parties by his act; but it is the constant practice of this Court, and is to be supported on this principle, that, at law, after a mortgage is forfeited, the estate is the absolute property of the mortgagee, and he may deal with it as his own; and that if the mortgagor comes for the redemption which the equity of this Court gives him, it must be upon the terms of indemnifying the mortgagee from all costs arising out of his legal acts."

It is on the same principle that a mortgagee of renewable leaseholds may, without express contract, renew, and add the expense of renewal to his mortgage debt. The legal estate gives him the legal right to renew: this legal right is a part of the security for his debt, and if it be exercised by him, the Court of Chancery will decree redemption only upon the terms that the expense thereby incurred shall be repaid him by the mortgagor. (*Manlove v. Ball*, 2 Vern. 84).

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In the case we are now considering, the mortgagee, in virtue of his legal estate, and as absolute owner at law, has an insurable interest in the property, and a legal right to insure in his own name. (1 Ph. Ins. 108). Now, when we consider how entirely dependent the mortgagee's security is on the safety of the household property, and that should this property be destroyed by fire the mortgagee's security for his debt would be entirely gone, it must be conceded, that to insure is only a reasonable and fair exercise of the legal right which the mortgage-deed has given to the mortgagee, by conferring upon him an insurable interest. If it be said that the mortgagee must take the consequence of his own want of precaution, in not having an express contract that he might insure, it may be answered, that the mortgagor must rather take the consequence of not inserting in the mortgage-deed an express provision that the mortgagee should not avail himself of the insurable interest which the mortgage-deed has given him. If the mortgagor wishes to prevent the mortgagee from taking possession, an express proviso is inserted for this purpose; for without such proviso the mortgagee has the legal right at any moment to take possession, and the Court of Chancery will not restrain him from so doing. So also, if the mortgagor wishes to prevent the consequences of the mortgagee insuring, it is incumbent on him to insert an express proviso that the mortgagee shall not insure; for without such proviso the mortgagee has the legal right to insure, and the Court of Chancery will not restrain him. Should the mortgagee insure, then it seems to follow, on the principle laid down by Sir J. Leach in *Weatherall v. Collins*, that the Court would decree redemption in favour of the mortgagor only upon the terms that he should repay to the mortgagee, not only the mortgage debt, but also the premiums of the insurance.

If this view of the case be correct, it necessarily follows, that should the mortgagee insure, and receive the insurance money from the office, he will be bound to account to the mortgagor for the money so received. This, we would submit, is also established by authority. It was expressly held in *Ex parte Andrews, in re Emmott*, (2 Rose, 410), that a mortgagee by way of trust, who had insured against a contingency, and had received the insurance money from the office, was bound to account for such money to the mortgagor. The authority of this case was admitted in *Dobson v. Land*, but the learned judge distinguished the case of *Ex parte Andrews* from the case before him, on the ground that the former was a trust, and the latter a common mortgage. But we would with deference submit, that whether the mortgage be made by a conveyance to the mortgagee upon trust to repay himself the debt, and subject thereto upon trust for the mortgagor, or whether it be made in the more common way by conveyance with a proviso for redemption, can make no difference to the question at issue. By the conveyance to the mortgagee, he acquires an insurable interest in the property; this insurable interest, which he acquires only through the mortgage-deed, is a part of his security for his debt, and must be held by him upon the same terms as he holds every other interest conferred upon him by that deed, namely, for his own benefit to

the extent of his debt, and then for the benefit of the mortgagor. If, therefore, the mortgagee insure, and receive the insurance money from the office, he will be called upon to account for the money so received, in the same manner as for the rents and profits of the mortgaged property.

In conclusion may be mentioned the case of *Sidways v. Todd*, (2 Stark. 400), where the same principle was recognised. There a wharfinger had, without the privity of the depositor, insured goods deposited in his warehouse. The goods were destroyed by fire, and the wharfinger received the insurance money from the office. It was held, that although a wharfinger was not responsible for goods casually burnt on his premises, yet that, having insured, and received the insurance money from the office, he was bound to account for such money to the depositors. The wharfinger had acquired an insurable interest in the goods by their deposit in his warehouse, but as he held the possession of the goods themselves for the depositors, so he held the insurable interest which such possession gave him for them also.

ERRATA.—In the first line of the fifth paragraph of the Review of Mr. Turner's "Counsel to Inventors," for "discoveries," read "discoveries." In the last line but one of the same paragraph, for "nervous organism," read "nervous organum." The article was by mistake printed without being revised by the author.

OF THE NEW ORDERS IN CHANCERY.

In a case before the Vice-Chancellor of England, under the Orders in Chancery of the 22nd April, (*Darby v. Marshall*, 8th June), upon an application for leave to file a special claim, leave was refused, principally, it seems, on the ground that the claim did not set out the deed, under which the plaintiff's title to relief arose, with sufficient fullness. It was stated at the bar that those particular portions of the deed under which the equity arose were set out. We humbly conceive that this decision was not in accordance with the spirit of the Orders. The forms given for claims under the 1st Order are, we conceive, to be looked at, not certainly as unchangeable forms, but as models indicative of the sort of pleading that the Orders intend. Now, the forms which refer to deeds are—No. 6, the claim of a mortgagee; No. 7, the claim of a mortgagor for redemption; No. 8, the claim for specific performance; and No. 11, the claim for the appointment of new trustees. In all these the deed is merely referred to; and in No. 6 there is a marginal note expressly directing that the names only of the parties are to be set out, and not the substance or effect of the document. It may be added, that, as the obvious intent of the Orders is to substitute brevity for prolixity in equity pleadings, and to diminish expense; and as the Orders direct the claim to be set forth verbatim in the writ of summons, and a writ to be served on every defendant necessary to be named, the whole intention of the Orders would be defeated if in special claims the deeds under which the equity arises are to be set out. We should rather have thought that it would be impertinent, in a claim, to do more than refer to the deeds, so as to identify them; and that the utmost that could be proper would be to set out any special clause requiring the particular attention of the defendant and the Court.

The question, whether a claim praying an injunction may be filed, was, on the 18th instant, brought specially before Knight Bruce, V. C. His Honor expressed no judicial opinion on it, intimating merely that he

would take time to consider; and ultimately the plaintiff abandoned the prayer for an injunction, and filed a common claim; so that the point is yet undetermined. We may add to the reasons already urged why an injunction should be grantable under these Orders, that, if it were not, the Orders are nearly useless. For since there are but few administration suits in which it may not turn out that an injunction will be requisite, so that to pray an injunction is, *ex abundanti cautela*, nearly always proper; and since it can hardly be the intention of the Orders that a suit should be begun in a mode in which, in a great proportion of the cases, it may become impracticable to continue it, it must be presumed, that, wherever an injunction may, with any degree of probability, be requisite, a bill will be the proper course; in other words, that in nine cases out of ten of the suits contemplated under all the heads of the 1st Order, except Nos. 5, 10, and 11, the Orders will be passed by as inapplicable.

The question, whether special claims should be signed by counsel, has also engaged the attention of the Court, and is the subject of conflict of opinion. In one branch of the Court it would seem that the signature of counsel is required; in the two other branches at present acting it is not. The 6th Order seems to require that the claim should be actually perused, and, in effect, settled by the Court itself. But the framers of the Orders can hardly have intended to impose such a duty on the Court. If, however, the Court ought to read, and be satisfied of the propriety of the claim, of what use is the signature of counsel? On the other hand, if claims are to be settled and signed by counsel, of what use is the motion for leave to file a claim? It might be as well required that counsel should move for leave to file an original bill. What strikes us is, that the time of the Court would be saved, and every useful purpose answered, if special claims were required to be signed by counsel, and, being so signed, might be filed as of right.

TRADES MARKS.

THE progress of useful art has rendered this kind of interest (which hardly occurs in any old reports, and the law of which is the work almost exclusively of authorities now living) a recognised subject of litigation. Within the last three months as many as six cases have found their way into the newspapers; in one of them (*Franks v. Weaver*) such cases were said to be unfortunately common; and it may be expected to receive further development, as national and international intercourse extends the value of commercial and manufacturing character, and, consequently, of the mark or sign by which it is denoted and guaranteed.

As the subject, though incidentally or collaterally noticed, (see *Drewry on Injunctions*; a note in *Sweet's Jarman*, tit. "Patents," vol. 7, p. 467; and the titles "Case" and "Deceit" in the books), has not been treated independently, a review of the recorded cases may be acceptable.

The Subject-matter.—One of the main elements which determines commercial profit or professional remuneration is the quality which arises out of a long course of integrity and skill, and is known as "character, goodwill, reputation, connexion," &c. For the protection of this, if attached to the person, no aid is required from law: Mr. Smith will hardly succeed in persuading the customers that he is Mr. Jones. And if it be of a real nature, it is inseparable from a particular spot—a favourite shop or tavern, for instance; and moveable articles are in some cases equally secure. The work of an old painter may "reject the claim of every other hand," and the flavour of the wine may identify the very spot on the bank of the Rhine which pro-

duced it. Failing, however, this natural cognoscibility, the genuine nature of the commodity is usually guaranteed by an artificial symbol—a trades mark.

This applies especially to chemical productions: metals and metallic manufactures, iron and tin, knives and ploughshares are among the cases recorded; culinary sauces, tea, cigars, dyes, and especially medical preparations—the latter with reference, be it observed, to the druggist or vendor, not the inventor or author of the prescription. (See *Clark v. Freeman*, 12 Jur. 149, and some remarks in the *Law Mag.*, No. 81, p. 236). But the efficacy of the mark applies to any article of which a buyer is unable to verify the source, to which he gives a well-founded or fanciful preference. The wider the distance between producer and consumer, the less chance is there of personal identification: marks, therefore, come very much into play in exportation; and there are many anecdotes of travellers finding themselves preceded in their most advanced explorings by articles bearing the trades mark of the English factory. A public conveyance has the same kind of goodwill attached to it, and is identified by its external appearance, not personally or by locality. Hence the case of *Knott v. Morgan*, (2 Kee. 213). So, an establishment may be better known by its circulating advertisements and prospectuses, than the place where it is carried on. (See *The London and Provincial Law Assurance Society v. The London and Provincial Joint-stock Life Insurance Company*, 11 Jur. 938). Finally, we may mention the title of a book: this, indeed, is usually a copyright question, being only pirated along with the literary manufacture itself. An author's name, however, has been sometimes misappropriated to a spurious production: it might be thought that the intrinsic merits of a work were its recommendation, but the title-page, in fact, saves much critical examination; and even the name of the publisher who has purchased the work has its influence. "15s. for this little print; you mean 15d.," said the president to the printseller. "No, Sir Joshua; its price was 15d. yesterday, but your notice of it has altered its value." And as the name not only of an author, but of a periodical or a particular series, supposes identity at least of editorial selection and revision, it has occasionally been a subject of litigation. (*Hogg v. Kirby*, 8 Ves. 215; *Keene v. Harris*, cit. 17 Ves. 336; *Sealey v. Fisher*, 11 Sim. 581).

General Nature of the Right.—The oldest case usually referred to under this head (*Southerne v. Howe*, 2 Roll. Rep. 26) was an action by a buyer of cloth falsely marked—a branch of the subject which, in later cases, is only alluded to incidentally, probably because the injury to the buyer of a single article is as a fraction of that sustained by the counterfeited party from the piracy as a whole. The nature of the wrong to him is not left by the cases in a settled shape: most of them regard it as a fraud, as similar to the personation of another, or the assumption of an agency for him, (*Croft v. Day*, 7 Beav. 84), and operating to "deprive him of profit, by attracting custom on false representations, lead the public to believe" &c. In *Knott v. Morgan* (2 Kee. 213) the same intention was relied on, and by similar means, both cases expressly repudiating the notion of a substantial specific right in the thing—"no property," "no exclusive right." *Crawshaw v. Thompson* (4 M. & G. 357; 5 Scott's N. R. 562) went upon fraud, not allowing any weight to a claim, set up and published, to the use of a mark. And in *Day v. Day* (Eden on Inj. 314) there was said to be no exclusive right—a view of the question which coincides with the cases at law, which all profess to be for "deceit," and not "piracy." Nevertheless, we meet with some indications which seem to shadow out a right of property. *Canham v. Jones* (2 V. & B. 218) speaks by comparison of an invasion of another's "property"

—an appropriation of the benefit of a valuable interest, in the nature of goodwill, treating the false representation as the means employed to effect the injury. One judgment (*Millington v. Fox*, 3 My. & C. 338) only distinctly asserts the existence of the right. "No previous case," says Mr. Drewry, "had gone so far;" no subsequent case has, up to the present time, I believe, followed it; "but it was fully argued, and is one of the most careful and elaborate decisions of a cautious judge." "It was very different," Lord Cottenham said, "from the usual cases—those of fraudulent use." There was evidence of a certain amount of innocent infringement of the mark, but which would "not deprive plaintiffs of their right to the exclusive use of it." And in *Morison v. Salmon* (2 M. & G. 385; 2 Scott's N. R. 449) it was said that the action might be to try a right; that it was like a patent—it might be assignable, or the subject of a license. (Compare also *Delondre v. Shaw*, 2 Sim. 213).

It is submitted that the doctrine of property is the correct one; that the analogy is closer with patent inventions and copyright, which, though called "incorporeal," are definite subjects, than with personal reputation. The mark is not attached to anything that has belonged to the party, but to a certain commodity for which he is noted, or a particular style of literature, as distinguished from his general intellectual faculties. In *Clark v. Freeman* the fraudulently affixing the name of a celebrated physician to a kind of pill, was said to be a case of defamation possibly, but not a case of trades mark, because a physician does not sell pills. It may be said that he sells prescriptions, but the pill vendor does not; so that the specific substance is still wanting. Just as, in *Martin v. Wright*, (6 Sim. 297), a diorama was held to be no piracy of an engraving.

The capability of development and expansion, which the notion of legal property admits of and requires to keep pace with the change of society, is well seen in *Prince Albert v. Strange*, (13 Jur. 109; 1 Mac. & G. 43); and it seems probable that fraud was at first had recourse to as the least obtrusive mode of placing this matter on the list of civil injuries. Viewed from the other aspect, it is precisely a *fraud* on the buyer, and it seemed an easy transition to put the same term on the wrong to the supplanted seller. It is a vague class of injury. "Nobody has been able to define fraud," said Lord Langdale, "it is so multifarious." Primarily it implies falsehood (or concealment) practised on a party in communication, and to that meaning it would advantageously have been restricted. Trades-mark cases are analogous to those frauds only where the right of an absent or third party is affected; the creditor of a vendor, for instance, as to whom there is neither *suggestio falsi* nor *suppressio veri*, whose property is as it were stolen, just as if his patent had been infringed on; and it will be observed, that the imitation of the mark blends imperceptibly with that of the invention or copyright, under which head it is often entered in the digests and treatises.—It is presumed, and for the credit of the law hoped, that an alien is entitled to full protection on this head, (*Pisani v. Lawson*, 8 Scott, 182; 6 Bing. N. C. 30), notwithstanding the still unsettled state of alien copyright. An English manufacturer, it is said, is so secured in the United States.

Title.—The title is usually by occupation. Lord Langdale speaks of the person who first used, or was alone in the habit of using; and the length of exercise is noticed in *Hine v. Lart* (10 Jur. 106) and *Crawshaw v. Thompson*, (5 Scott's N. R. 562). The original motive for adopting it is immaterial; long use, it was said in the latter case, produces an impression that the mark denotes a particular tradesman; and, on the other hand, a mark originating with an individual becomes,

by general usage or habitual infringement, a mere mark of a kind of article. A notification of the individual's intention to use a mark for distinction would probably throw weight into the scale; nor does it seem absurd to anticipate hereafter a general registration of marks, which, to a certain extent, actually exists in America. It is obvious that disuse, as well as acquiescence, would vacate the right; (see *Hine v. Lart*, 10 Jur. 106); and in a French case, a review, which had altered its title, was not allowed to prevent a new periodical from resuming the old title after an interval of seven months. The duration of the interval would of course be regulated by the frequency of the issue: thus the orders for an exportation may arrive annually.

As to transmission, the right, whether property or negative, is personal; administrable, (*Singleton v. Bolton*, 3 Dougl. 293), and passing to executors, (see *Day v. Day*, Eden on Inj. 314, and see *Lewis v. Langdon*, 7 Sim. 421); the interest in a newspaper going to representatives, (Lord Eldon in *Keene v. Harris*), and (in *Longman v. Tripp*, 2 N. R. 67) to a bankrupt's assignees. The use of the author's name accompanies the copyright of his work, but must be kept clear from any addition. (*Archbold v. Sweet*, 1 Moo. & R. 62; 5 C. & P. 219). A name, however, adopted from the place of business, may really denote the value arising from some personal preference of the maker, or a name really given to a particular mine or factory may be that of some person at one time connected with it. In *Mottley v. Downman*, (3 My. & C. 1), which Lord Cottenham calls a case of much nicety, the lessee of a manufactory, which had become well known, removed to other premises, carrying the use of the mark with him, under protest from the landlord. As his lease had not expired, he was able to prevent the use of the mark on the old spot for several years. The lease having expired, the landlord claimed for his new tenant the use of the mark, and each party complained of infringement by the other. The Chancellor thought the case too doubtful to act upon, suggesting that *both* parties might be entitled. No trial seems to have taken place, which would have thrown some light on the *jus possessionis* of this subject—the effect of a previous right to retard the acquisition by the new establishment, and the ability of the protest, unaccompanied by use or possession, to keep the right on foot. (See also *Crutwell v. Lye*, 17 Ves. 341, as to the goodwill inherent in a business or an individual).

One condition is always implied in the existence of the right—the mark itself must involve no deceit. In *Pidding v. How* (8 Sim. 477) assistance was refused to a plaintiff, who advertised, as made in China by one Howqua, packages of tea really made up in his own warehouse. In *Perry v. Truefitt* (6 Beav. 66) the sanction of the physiologist Blumenbach was attributed to a quack preparation—a practice much in vogue in the present day; and it was debated in the same case whether "Mexican balm" were a "fancy designation," or a false statement of origin. In *Sykes v. Sykes* (3 D. & Ry. 292) it was deemed no fraud to mark as "patent" an article where the patent had expired, as probably it would have been, had no patent ever existed; unless under the ambiguous denomination of patent medicine. A recent law expressly restricts the use of the word "registered" to articles made, though not necessarily sold, during the existence of the privilege. The analogous rule as to immoral or libellous copyright is well known, and, as in that rule, the onus of establishing the fault would, except in glaring cases, lie on the defendant, and the decision depend on the fastidiousness of the Court. The reporter of one of the medicine cases suggests, that *ex turpi causa non oritur actio*. Mere fiction, as the *nom de guerre* of an author, of course does not amount to a fraud. (See *Wright v. Tallis*, 1 C. B. 893, where Tindal, C. J.,

distinguished an assumed title, plainly and manifestly fictitious, from those which impose on the credulity of the purchaser).

Form of Marks.—Trades marks were described in one case as names, titles, insignia, devices; in another, names, letters, indicia; and again, as forms, words, symbols, and accompaniments. They are impressed on the article itself, attached to the vessels or covers that contain it, or employed for cards and prospectuses, liveries, &c.; or the entire form, or colour and style of the commodity, or its envelope, may constitute the mark. A name or an inscription is often relied on, and sometimes the form of the letters and arrangement of the printing is characteristic, the visible form being often recognised in foreign countries, where the meaning is unintelligible, just as, in former times, the rarity of the accomplishment of reading led to a sign for every shop. Thus "W C" on iron was said to be known abroad as the comb-mark. The form may be simple, the article or substance allowing, perhaps, only of a single letter, or a particular species of shape; or, on the other hand, the mark may amount to a little ornamental design—an idea apparently referred to in *Delondre v. Shaw*, (2 Sim. 213), where the maker of a chemical drug marked it with his cross of honour and a serpent, the emblem of his profession; and we sometimes see a crown or the regal initials used, to denote the patronage of royalty. An original or new mark obtains in America an express protection, on the footing of a patent, for seven years: a similar privilege being, by our Designs Act, for some very excellent but inscrutable reason, expressly withheld from a design for a label, wrapper, or other covering, which it classes with immoral designs. It has been stated that a very considerable sum is expended on gold marks and labels for linen exported to the American market.

Infringement.—That which possesses a market value is sure to become the object of depredation, and the fact of a studied imitation goes far to establish the dishonesty of the intention. The copy may be absolute, the same mark-maker being sometimes employed, and in one case illicit impressions of the identical stamp—a modification of the offence illustrated by the cases of *Prince Albert v. Strange* (13 Jur. 109) and *Murray v. Heath*, (1 B. & Ad. 84). More usually, however, the object is to retain enough of the original to effect the deception, and add variation enough to ground a denial of the fraud. Thus, in the omnibus case, a single word only was inserted, converting "London Conveyance Company" into "London Conveyances for Company;" but in another case Lord Langdale said, "if critically read, there was much difference, but that the result could not be got at so." In *Day v. Day* (Eden on Inj. 314) the judge looked for such a general resemblance as would mislead the public—"if any one should study, he would find much difference;" and in another, "not modo et forma; the substance, not the letter." As compared with "Day & Martin, 97, High Holborn," "Day & Martin, 90½, Holborn-hill," (a real address), was said to exhibit sufficient distinctive individuality to persuade the public that they were in some way connected. On the other hand, circumstances may rebut the presumption of bad intention, even where the resemblance is close, as in *The London and Provincial Law Assurance Society v. The London and Provincial Joint-stock Life Insurance Company*, (11 Jur. 938). There the place of business was different; there was (the title apart) no similarity in the prospectuses, and especially the general run of customers was in one establishment legal, and in the other mercantile men. The deception of the customer, of course, is the object, and "a resemblance calculated to deceive an ordinary purchaser, to mislead the ordinary run." (*Rodgers v. Nowell*, 5 C. B. 109; 11 Jur. 1039; 6 Hare, 325). In *Crawshaw v. Thomp-*

son, "W. O." was near enough to "W. C." to deceive the unwary; in *Morison v. Salmon* (2 Scott's N. R. 449) the misrepresentation was sufficient to deceive a person paying ordinary attention; (and see *Archbold v. Sweet*, where it was not enough that the title was explanatory to the trade). In *Spottiswoode v. Clarke*, (2 Ph. 154), Lord Cottenham doubted as to the imitation, and contrasted the book, of which the buyer might recognise the contents, with the piece of steel, where the mark was to the eye the sole indication of the quality. Here, he said, "no one could mistake; yet the two wrappers, if designed independently, shewed a remarkable coincidence of ideas; it was difficult to believe it pure accident; yet, if a fraud, it was a clumsy one."

As, in copyright questions, the quantity pirated is immaterial, the virtue of the mark may reside in a special portion, the rest being mere description or surplusage. "Truefitt's Medicated Mexican Balm" was held no infringement on "Perry's Medicated Mexican Balm;" and it may be laid down, that when a proper name is present, it renders the remainder insignificant. "The Registered Paletôt" was no infringement of "Nicoll's Registered Llama Cloth Paletôt;" and the addition of a second name may render the former descriptive, as "Torr's Pills, made by Kirkus;" (and see *Singleton v. Bolton*, 3 Dougl. 293). In *Mottley v. Downman* (3 My. & C. 1) the addition of the name of the new locality was urged as an efficient distinction, and objected to, as being only attached to the sides of the boxes, and therefore, when they were piled, invisible. In *Hine v. Lart* (10 Jur. 106) the material part pirated was the word "Ethiopian," as little of a proper term, in itself, as the word "Mexican," already alluded to; but here no individual designation was present with it. This name of the individual, however, may be supplied by a kind of innuendo. In *Franks v. Weaver* (10 Beav. 297) the original was "Franks' Specific Solution of" &c.; the defendant called his the "Chemical Solution of" &c., and then "craftily," as the Master of the Rolls said, "subjoined to his instructions testimonials in favour of Franks' solution;" an injunction granted, though it "might possibly not deceive." And in *Ransom v. Bentall* the use of a small portion of the plaintiff's mark was not permitted, the piracy as to the whole being admitted, and the Vice-Chancellor having no evidence that the part might not deceive.

Much exertion is sometimes made to obtain a ground to claim the right to the name itself. The defendant Day, mentioned above, had entered into an agreement with one Martin to complete the original firm, and the choice of premises had evidently been dictated by the same motive. When Joseph Rodgers & Sons' cutlery was to be supplanted, a John Rodgers was hunted up, and, happening luckily to have a son, he was placed in an imaginary partnership with him, and his articles appeared duly marked as "J. Rodgers & Son." In the cases of *Sykes v. Sykes* and *Lewis v. Langdon* the infringing parties were relations of the party infringed upon, and, bearing his name, were willing to turn that part of their inheritance to account. A notice to desist from the use of a mark will not, in itself, make that use a fraud; (*Crawshaw v. Thompson*); but the absence of secrecy when and where the mark is affixed, urged in defence in *Millington v. Fox*, and the question in *Crawshaw v. Thompson*, whether the mark were used to supplant or in execution of the buyer's orders, seem not conclusive, for the fraud may be aimed not at the middleman, but at some ultimate purchaser. In *Blofeld v. Payne* (1 Nev. & M. 363; 4 B. & Ad. 410) it was admitted that the immediate purchaser was aware of the deceit.

The remedy usually resorted to is that of an injunction, because the object is, as in patents, to prevent the repetition of the act; hence, in *Millington v. Fox*, the smallness of the amount of injury (6l.) was immaterial, which, as affecting the right itself, might have

been an obstacle. (See *Baily v. Taylor*, 1 Russ. & M. 173). So, in *Rodgers v. Nowill*, Wilde, C. J., rejected the argument that it was a paltry action. And in a recent case (*Pico v. —*, MS.) the agency of the Court was not stopped by a premise as to future conduct. The restraint (for the forms of which see *Knott v. Morgan, Day v. Day*, and *Franks v. Weaver*) is as to selling, exporting, (see *Goss v. Alephoghe*, 6 Beav. 69), or using articles marked, and any display or employment of the mark, as cards, &c., or any variation or colourable imitation of them, (see *Washbourn v. Osgood*—V. C., Feb. 18, 1850—in which the original terms, having been too wide, were narrowed). And as the remedy is peculiarly of an in terrorem nature, and, perhaps, also with an eye to giving fame and publicity to the commodity, copies of the injunction are not unfrequently printed for advertisement or circulation.

As to the title in equity, a sufficient "length of exclusive usage" was referred to in *The London and Provincial Law Assurance Society v. The London and Provincial Joint-stock Life Insurance Company* (11 Jur. 938) to justify the exercise of summary jurisdiction. In *Hine v. Lort* a *prima facie* title (subject to the question of another joint interest) was acted upon to restrain an admitted similarity which might prejudice the plaintiff. But *Delondre v. Shaw* failed partly on a defect of this kind in the title, but partly, it seems, as being against the counterfeiting the labels, and no sale of the article alleged. The case is obscure. (See *Drewry on Inj.*) And in *Rodgers v. Nowill* (6 Hare, 325) the injunction was refused, although under a great probability of damage to the plaintiff.

After an action, of course no such difficulty would occur. The facts as to similarity and fraudulent intention are for the cognisance of the judge, who exercises personal inspection. Lord Eldon said, in *Hogg v. Kirby*, (8 Ves. 226), "that, until satisfactorily explained, he thought it an imitation." In another case the Vice-Chancellor could not think so close an imitation accidental. But, in reference to proceedings of this kind generally, "each case depends very much on its own special circumstances," (*Day v. Day*); and "no general rule can be laid down." (*Rodgers v. Nowill*).

With reference to legal pleading and procedure, the reader is referred to the recent case of *Rodgers v. Nowill*, in the Court of Common Pleas, (11 Jur. 1139), in which Wilde, C. J., entered into an exposition of the general subject to be considered—"Was the act done, and was it done in a fraudulent way—done in a way likely to deceive, and done with that intent?" It was enough to shew the intention, and the natural result. The plaintiff alleged a fraud, causing a general loss of custom, and also an injury to the reputation of the firm. The objection, that the labels and not the goods were imitated, appears immaterial; in their commercial identity, the goods were imitated. The previous case of *Blofield v. Payne* (1 Nev. & M. 363; 4 B. & Ad. 410) had dispensed both with the inferiority of the goods and the actuality of the injury.

A penal action is given by stat. 5 & 6 Will. 4, c. 83, (Patent Amendment Act), the only statutory provision on this subject, which imposes a penalty of 50*l.* on the improper use of the name, mark, stamp, or device of a *patentee*, or of the word "patent," by "letters-patent," or any similar words to *imitate the mark of the patentee*. The clause, it is said, underwent alteration, being originally drawn for the protection of the public rather than the patentee, who was provided for by common law, and its confused and indeterminate language agrees with this suggestion. The undue assumption of the word "patent" is a legal offence both in France and America.

In the common-law proceeding, the damages, if sought, are duly estimated; but this penalty, being laid on each offence, might, in the case of a button manufacturer,

for instance, be multiplied by the million. However, the clumsy framing of the act, under the strict construction required by a penal act, has rendered, and probably will render, it inoperative; at least, it is believed that no case has yet occurred under it. Some precedents for proceeding will be found in the works on Patents by Webster and Hindmarch, and in the latter some comments on the difficulties of interpreting the clause.

Whether legal or equitable remedies be applied for, the marks will, as far as possible, be set out in the declaration or bill, and specimens produced and exhibited in court; noticing, however, that the similarity which may be completely effective between two marks seen by the buyer apart, and at intervals, may vanish when the articles lie side by side, and the production of a suite of average specimens in general use would either heighten or dissipate the similarity apparent by the sole exhibition of the two individuals, and substitute the proportional for the absolute resemblance.

In conclusion, it is matter of regret that cases of this class, which are already numerous, (many of them, being unopposed, or *ex parte*, are only mentioned, if at all, in the newspapers), and likely to multiply, cannot, by some cheap and summary tribunal, escape the heavy cost of an application to a Chancery judge, whose time is wasted* on an adjudication for which a man of business would often, by his familiarity with the subject, be actually better fitted: a doctrine recognised in a neighbouring country by the transference of all such matters to the "*conseil de prudhommes*," and by our own forefathers, among whom they were to some extent at least regulated by the guilds or companies. T.T.

GENTLEMEN CALLED TO THE BAR.

The following Gentlemen have been called to the degree of Barrister at Law:—

LINCOLN'S INN.—R. Houston, Esq.; G. Smith, Esq.; J. R. Brougham, Esq.; V. J. Reynolds, Esq.; G. J. Lyons, Esq.; C. J. Monk, Esq.; G. P. Bevan, Esq.; J. R. Baker, Esq.; H. J. S. Maine, Esq.; R. H. Holt, Esq.

INNER TEMPLE.—J. G. Malcolm, Esq.; P. Camlin, Esq.; J. J. Cleave, Esq.; E. Steere, Esq.; G. C. Vernon, Esq.; W. H. Bubb, Esq.; A. P. O'Kelly, Esq.; T. A. Dashwood, Esq.; C. Telford, Esq.; J. La Touche, Esq.

MIDDLE TEMPLE.—J. Grove, Esq.; J. S. Roath, Esq.; P. E. Barnes, Esq.; J. Paterson, Esq.; A. Coxon, Esq.; W. H. Russell, Esq.; E. R. Griffiths, Esq.; J. W. Tottie, Esq.; J. L. Colin, Esq.; J. Ogden, Esq.

GRAY'S INN.—G. Horsey, Esq.; A. M. Attree, Esq.; F. C. F. Gallet, Esq.

COLONIAL LEGAL APPOINTMENTS.—The Queen has been pleased to appoint James Scotland, Esq., to be Chief Justice for the island of St. Christopher; Sir Robert Bowcher Clarke, Knt., Companion of the Most Honourable Order of the Bath, Chief Justice for the island of Barbadoes, to be also Chief Justice for the island of St. Lucia; John George Porter Atthill, Esq., to be Puisne Judge; Louis La Caze, Esq., to be her Majesty's Attorney-General; and Cyprien Mallett Pons, Esq., to be her Majesty's Solicitor-General for the island. Her Majesty has further been pleased to appoint William Whalley Billyard, Esq., to be Crown Solicitor for civil business in the colony of New South Wales.

* There is a "doubt" of Lord Eldon's, whether it were derogatory to restrain the driving of coaches.

CIRCUITS OF THE JUDGES.
(*Mr. Justice MAULE will remain in Town.*)

SUMMER CIRCUITS, 1850.	OXFORD.	MIDLAND.	HOME.	S. WALES.	N. WALES.	NORFOLK.	WESTERN.	NORTHERN.
	Ld. Campbell J. Williams	L. C. J. Wilde B. Platt	L. C. B. Pollock J. Erie	B. Parke	B. Rolfe	B. Alderson J. Patteson	J. Coleridge J. Talfourd	J. Wightman J. Crosswell
Tuesday, July 9	.....	.....	.....	Cardiff	.....	.....	.....	.....
Wednesday.. 10	Abingdon	.....	Hertford	.....	.....	.....	Devizes	York & City
Saturday... 13	Oxford	{ Oakham & N'thampt. }	.....	Cardmarthen	.....	Aylesbury	Winchester	.....
Monday.... 15	.....	.....	Chelmsford	.....	.....	.....	.....	.....
Tuesday.... 16	.....	.....	.....	.....	Newtown	Bedford	.....	.....
Wednesday.. 17	Worcester &	Lincoln and	.....	.....	.....	.....	.....	.....
Thursday... 18	[City	[City	.....	.....	.....	Huntingdon	.....	.....
Friday..... 19	.....	.....	.....	Haverford-	Dolgelly	.....	Dorchester	.....
Saturday... 20	Stafford	.....	.....	[west & Th.	.....	Cambridge	.....	.....
Monday.... 22	.....	.....	Lewes	.....	.....	.....	.....	.....
Tuesday.... 23	.....	Nottingham	.....	Cardigan	Cardarvon	.....	.....	.....
Wednesday.. 24	.....	.....	.....	.....	.....	.....	.....	Durham
Thursday... 25	.....	Derby	.....	.....	Beaumaris	.....	Bodmin	.....
Friday..... 26	.....	.....	.....	Brecon	.....	.....	.....	.....
Saturday... 27	Shrewsbury	.....	.....	.....	.....	Norwich and	.....	.....
Monday.... 29	.....	.....	Maidstone	.....	Ruthin	[City	.....	Newcastle &
Tuesday.... 30	.....	Leicest. & B.	.....	.....	.....	.....	.....	[Town
Wednesday.. 31	Hereford	.....	.....	Freteign	.....	.....	Exeter & City	.....
Thurs., Aug. 1	.....	.....	.....	.....	Mold	.....	.....	Carlisle
Friday..... 2	.....	Coventry	.....	.....	.....	Ipswich	.....	.....
Saturday.... 3	Memmouth	Warwick	.....	.....	.....	.....	.....	.....
Monday.... 5	.....	.....	Guildford	Chester	Chester	.....	.....	Appleby
Wednesday.. 7	Gloucester &	.....	.....	.....	.....	.....	Wells	Lancaster
Saturday... 10	[City	.....	.....	.....	.....	.....	.....	Liverpool
Tuesday.... 13	.....	.....	.....	.....	.....	.....	Bristol	.....

Court Papers.

**EQUITY SITTINGS, AFTER TRINITY TERM,
1850.**

Vice-Chancellors' Courts.

*Before the VICE-CHANCELLOR OF ENGLAND, at
Lincoln's Inn.*

Wednesday.. June 19	First Seal.—Motions.
Thursday..... 20	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday..... 21	(Petition-day).—Petitions, (unopposed first), Short Causes, and Claims for Hearing.
Saturday..... 22	.....
Monday..... 24	.....
Tuesday..... 25	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday.... 26	.....
Thursday..... 27	.....
Friday..... 28	(Petition-day).—Petitions, (unopposed first), Short Causes, and Claims for Hearing.
Saturday..... 29	.....
Monday.... July 1	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday..... 2	.....
Wednesday.... 3	Second Seal.—Motions.
Thursday..... 4	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday..... 5	(Petition-day).—Petitions, (unopposed first), Short Causes, and Claims for Hearing.
Saturday..... 6	.....
Monday..... 8	.....
Tuesday..... 9	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday.... 10	.....
Thursday..... 11	.....
Friday..... 12	(Petition-day).—Petitions, (unopposed first), Short Causes, and Claims for Hearing.
Saturday..... 13	.....
Monday..... 15	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday..... 16	.....
Wednesday.... 17	Third Seal.—Motions.

Thursday..... 18	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday..... 19	(Petition-day).—Petitions, (unopposed first), Short Causes, and Claims for Hearing.
Saturday..... 20	.....
Monday..... 22	.....
Tuesday..... 23	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday.... 24	.....
Thursday..... 25	.....
Friday..... 26	(Petition-day).—Petitions, (unopposed first), Short Causes, and Claims for Hearing.
Saturday..... 27	.....
Monday..... 29	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday..... 30	.....
Wednesday.... 31	Fourth Seal.—Motions.
Thursday.... Aug. 1	General Petition-day.
Friday..... 2	Short Causes and Claims for Hearing.

Before VICE-CHANCELLOR KNIGHT BRUCE, at Lincoln's Inn.

Wednesday.. June 19	First Seal.—Motions.
Thursday..... 20	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday..... 21	.....
Saturday..... 22	Short Causes, Claims for Hearing, and Petitions.
Monday..... 24	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday..... 25	.....
Wednesday.... 26	Bankrupt Petitions and Causes.
Saturday..... 29	Short Causes, Claims for Hearing, and Petitions.
Monday.... July 1	Bankrupt Petitions and Causes.
Tuesday..... 2	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday.... 3	Second Seal.—Motions.
Saturday..... 6	Short Causes, Claims for Hearing, and Petitions.
Monday..... 8	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday..... 9	.....
Wednesday.... 10	Bankrupt Petitions and Causes.
Saturday..... 13	Short Causes, Claims for Hearing, and Petitions.
Monday..... 15	Bankrupt Petitions and Causes.

Tuesday.....	16	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday.....	17	{ Third Seal.—Motions.
Saturday.....	20	{ Short Causes, Claims for Hearing, and Petitions.
Monday.....	22	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	23	{ Bankrupt Petitions and Causes.
Wednesday.....	24	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Thursday.....	25	{ Short Causes, Claims for Hearing, and Petitions.
Saturday.....	27	{ Bankrupt Petitions and Causes.
Monday.....	29	{ Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	30	{ Fourth Seal.—Motions.
Wednesday.....	31	{ (Petition-day).—Petitions.
Thursday.....	Aug. 1	{ Short Causes and Bankrupt Petitions.
Friday.....	2	

VICE-CHANCELLOR WIGRAM'S COURT. VICE-CHANCELLOR KNIGHT BRUCE sitting for VICE-CHANCELLOR WIGRAM, at Lincoln's Inn.

Wednesday.. June 19	First Seal.—Motions.
Thursday..... 27	{ Short Causes, Claims for Hearing, Causes, and Petitions.
Friday..... 28	{ Second Seal.—Motions.
Wednesday.. July 3	{ Short Causes, Claims for Hearing, Causes, and Petitions.
Thursday..... 4	{ Short Causes, Claims for Hearing, Causes, and Petitions.
Friday..... 5	{ Short Causes, Claims for Hearing, Causes, and Petitions.
Thursday..... 11	{ Third Seal.—Motions.
Friday..... 12	{ Short Causes, Claims for Hearing, Causes, and Petitions.
Wednesday..... 17	{ Short Causes, Claims for Hearing, Causes, and Petitions.
Thursday..... 18	{ Fourth Seal.—Motions.
Friday..... 19	{ Short Causes, Claims for Hearing, Causes, and Petitions.
Friday..... 26	{ Fourth Seal.—Motions.
Wednesday..... 31	{ Short Causes, Claims for Hearing, and Petitions.
Saturday.... Aug. 3	

EQUITY CAUSE LISTS, AFTER TRINITY TERM, 1850.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the LORDS COMMISSIONERS, at Lincoln's Inn.

APPEALS.

Dawson v. Brinckman (Ap)	Briggs v. Penny (Ap)
Tomlinson v. Trough- ton } (Ap)	Hickman v. Hickman (Ap)
Haydock v. Tomlinson } (Ap)	Rodick v. Gandell (Ap)
Hughes v. Williams (Ap)	Robinson v. Geldart (Ap)
Walah v. Trevanion (Ap)	Salmon v. Dean (Ap)
Price v. Berrington (2 Aps)	Smith v. Pincombe (Ap)
Williamson v. Gordon (Ap)	Vivian v. Cochrane (Ap)
Benyon v. Nettlefold (Ap)	Sturge v. Sturge (Ap)
Short v. Mercier (Ap)	Pelly v. Wathen (Ap)
Fowler v. Reynal (Ap)	Rhodes v. Matson (Ap)
Miller v. Huddleston (Ap)	Smith v. Smith (Ap)
Wilkinson v. Godson (Ap)	Kekewick v. Manning (Ap)
Yates v. Madden (Ap)	Attorney-Gen. v. Mardock (Ap)
Innes v. Sayer (Ap)	Deeks v. Bell (Ap)
Menzies v. Connor (2 Aps)	Toft v. Stephenson } (Ap)
Hickling v. Boyer (Ap)	Graham v. Reeves } (Ap)
Rowland v. Witherden (Ap)	Smale v. Graves (Ap)
Myers v. Perigal (Ap)	Hawkes v. Eastern Counties Railway Co. (Ap)
Pearson v. Goulden (Ap)	Reynell v. Sprye (Ap)
Pearson v. Beck (Ap)	Vaughan v. Vanderstegen } (2)
Pearson v. Hulme (Ap)	Gates v. Lord Dunboyne } (2)
Pearson v. Oldham (Ap)	Price v. Griffith (Ap)
Watkins v. Williams } (Ap)	Bayden v. Watson } (Ap)
Havard v. Church } (Ap)	Lardner v. Paine } (Ap)
Emmett v. Dewhurst (Ap)	

Coope v. Carter (Ap)
Hamilton v. Bankin (Ap)
Saunders v. Hamilton (Ap)
Swift v. Grazebrook (Ap)
Robinson v. Robinson (Ap)
Gaston v. Frankum (Ap)
Bell v. Rea } (Ap)
Rea v. Bell } (Ap)
Ward v. Martin (2 Aps)
Weaver v. Grant (Ap)
Haig v. Gray (Ap)
Thornes v. Harper (Ap)

Duke of Leeds v. Earl Amherst
(Ap)
Watts v. Symes } (Ap)
Same v. Herniman } (Ap)
Seagrave v. Pope (Ap)
Norman v. Hammack (Ap)
Jones v. Lewis } (Ap)
Same v. Owen } (Ap)
Mayor, &c. of Berwick v.
Murray Cowald } (2)
Same v. Same } (2)
Same v. Murray & an. } (2)

Before the VICE-CHANCELLOR OF ENGLAND.

PLEAS, DEMURRERS, CAUSES, EXCEPTIONS, AND FURTHER DIRECTIONS.

Attorney-General v. Lambard	Perryman v. Tilbury & A
Rogers v. Hale (part heard)	Roxburgh v. Forster
Uttermare v. Stevens	Waterhouse v. Trentham
Morritt v. Walton (F D, part heard)	Fagge v. Sandys
Perkins v. Ede (E)	Wood v. Taylor (2 causes)
Goode v. Waters (part heard)	Rush v. Rush (2 causes)
Heath v. Chapman	Mills v. Sawyer
Browne v. Paull (F D, C)	Palmer v. Goren (2 causes)
Bower v. Ostler	Ramsay v. Freedy (F D, C)
Geib v. Dibley	Robotham v. Amphlett (F D, C)
Westbrook v. M'Kie (F D)	Langham v. Richardson
Field v. Titmuss	Monro v. Proctor
Brougham v. Squire }	Humphrey v. Humphrey
Same v. Witham }	Holt v. Moesman
Creswicke v. Parker (F D, C)	Crook v. Hendry
Long v. Bunny (F D, C)	Stillwell v. Mellerah (F D, C)
Sawyer v. Mills	Rance v. Marriott (F D, C)
Hedges v. Ewing	Steel v. Steel
Attorney-Gen. v. Bodman	Phillips v. Phillips (F D) & A
Usher v. Mould	Smith v. Smith (2 causes)
Willis v. Black (F D, C)	Flight v. Camac (E)
Underwood v. Jee	Vasconcellos v. D'Azevedo & A
Oakes v. Jones (F D, C)	Drake v. Drake (2 causes)
Lyne v. Pennell	Sainsbury v. Sainsbury (F D, C)
Pee v. Marsh (F D, C)	Bird v. Bird (E, F D, C)
Wilkinson v. Leake (F D, C)	Shells v. Shells
Mayhew v. Cannan	Travis v. Newton
Hunt v. Bohn (2 causes)	Davis v. Greenlaw
Alcock v. Kempson (3 causes)	Navulshaw v. Brownrigg
Joyce v. Hopkins	Newman v. Warner (E)
Edgley v. Maslin	Chapman v. Barton (F D, C)
Smithy v. Burrage	Grover v. Bainingham (F D, C)
Alpo v. Woodhouse	Noble v. Page
Carter v. Barnard (F D, C)	Harcourt v. Seymour (3 cau.)
Knight v. Knight (2 causes)	Crompton v. Crompton (2 ca.)
Beasley v. Wilson	Matthews v. Venables (F D, Cause)
Eyre v. Jones (F D, C)	Flight v. Thatcher (F D, C)
Peace v. Hains	St. John v. Steward (F D, C)
Raimond v. Poyser	Barton v. Steers
Bridges v. Hinxman (E)	Calvert v. Eastern Counties Railway Co.
Wood v. Dench	Trutch v. Jones
Mitchell v. Cobb	Coleman v. Smithies (F D, C)
Myers v. Watson	Lloyd v. Twining (F D, C)
Martin v. Welstead (F D, C, 4 causes)	Seymour v. Lord Verney (F D, C)
Belcher v. Lockey (F D, C)	Franklyn v. Croham & A
Flint v. Warren (F D, C)	Onalov v. Att.-Gen. (F D, C)
Earl of Derby v. Chamberlayne	
Wilson v. Wilson	
Taylor v. Reid (F D)	
Sewell v. Murray (E)	

Before Vice-Chancellor KNIGHT BRUCE.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Caton v. Ridout (E, F D, Ptn, part heard)	Blake v. Hoggart
Huben v. Thomas (after 2nd Seal)	Purchon v. Purchon
Smith v. Smith	Spencer v. Baker }
Davies v. Davies (F D, equity reserved)	Same v. Same }
	Weaver v. Grant (F D, C)
	Newman v. Clutton
	Bridger v. Wickens

Eyton v. Mostyn
Johnson v. Thomas }
Simpson v. Same }
Mallalieu v. Wood
Bayley v. Sturgis
Gilbard v. Berryman
Linskill v. Hewson (F D, C)
Harrison v. Bisgood (3 causes)
Douglas v. Douglas (E)
Cooke v. Cunliffe
Brierly v. Ward }
Same v. Hatch }
Aitkin v. Bolland (F D)
Humberstone v. Casenove
Gibbon v. Fletcher July 4
Towne v. Davis
Bass v. Wellstead (E)
Russell v. Marshall (F D, C)
Geller v. Geller
Cutts v. Salmon
Sproule v. Tilaley
Ridgway v. Ridgway (F D)
Boura v. Whight
Brown v. Heavens
Hutchinson v. Teychenne (E)
Philps v. Evans (F D, C)
Haggard v. Smith
Felton v. Cox

Cochrane v. Davies
Barry v. Collins (2 causes)
Harvey v. Bull
Grove v. Young
Daniel v. Jarrard
Stirling v. Boughton (F D)
Hutchinson v. Teychenne (F D)
Fiott v. Lee
Lovett v. Stirling (F D, C)
Morgan v. Morgan
Bradney v. Yorke (F D, C)
Moore v. France
Essex v. Learmouth (F D)
Alexander v. Osborn (F D)
Hervey v. Hewitt (F D)
Home v. Webster (2 causes)
Delarne v. Church
Higgins v. Lord Ashley
Lowe v. Lowe
Hutchins v. Hutchins
Fenwick v. Fenwick
Oldknow v. Slater (2 causes)
Playford v. Monro
Jenny v. Cooke (F D, C)
Harrison v. Goodall (F D, C)
Huskisson v. Bridge (F D, C)
Wyatt v. Fisher
Fenwick v. Fenwick

Before Vice-Chancellor WIGRAM.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Mence v. Bagster
Savory v. Savory } (E)
Same v. Same }
Hughes v. Godfrey } (F D, C)
Same v. Taunton } June 27
Warner v. Warner S O
Higgins v. Frankiss
Chilton v. Brough (E)
Harrison v. Round (F D, C)
Sutcliffe v. Banks (3 causes,
F D, C)
Long v. Eastern Union
Railway Co. }
Eastern Union Railway Co. }
v. Long }
Jackson v. Pickering (5 causes,
F D, C)
Key v. Birch
Collingridge v. Ward
Smith v. Capron (E)
Routledge v. Gibson (F D, C)
Walker v. Gay
Keeble v. Cooke
Seymour v. Hamilton (E, F D,
C)

Rushin v. Fairbrother (F D, C)
French v. Slade } (E, F D,
Same v. Pinckney } C, Ptn)
Same v. Swaffold }
Porter v. Smith
Russell v. Matlow
Preston v. Wilson (F D, C)
Edwards v. Gray SA
Hughes v. Garland (Sup. bill)
Hughes v. Lipcombe (4 causes,
F D, C)
Brogden v. South-eastern
Railway Co. (E)
Forshaw v. Batten
Hornby v. Holmes
Dugdale v. Johnson (F D, C)
Lock v. Lomas
Smith v. Barber SA
Attorney-Gen. v. Northcote
(F D, C)
Ballingall v. Jones
Wadman v. Connor
Hughes v. Stables } (F D, C)
Piper v. Same }
Hughes v. Savery }

London Gazettes.

TUESDAY, JUNE 18.

BANKRUPTS.

CHARLES O'NEIL, Golden-square, Middlesex, picture dealer, dealer and chapman, June 26 at half-past 2, and July 24 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Haynes, Palace-chambers, St. James's-st.—Petition filed June 12.
HENRY WOOLLEY, formerly of Newton-heath, near Manchester, but now of West-terrace, Upper Grange-road, Bermondsey, Surrey, oil and grease manufacturer, June 27 at half-past 1, and Aug. 6 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Duplex, 61, Lincoln's-in-fields.—Petition filed June 17.
WALTER GEE, Murray-st., Hoxton, Middlesex, tuscany and straw hat manufacturer, dealer and chapman, June 27 and Aug. 3 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Seaman, 12, Paneras-lane, Queen-street, Cheapside.—Petition filed June 10.

OWEN GRAY, Great Tower-street, London, builder, dealer and chapman, June 26 at 2, and July 24 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Ivimey, Chancery-lane.—Petition filed June 13.

WILLIAM JAMES BUCK, Shrubland-cottages, Queen's-road, Dalston, Middlesex, dealer and chapman, June 27 at half-past 12, and Aug. 7 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Keighley, 73, Basinghall-st., London.—Petition filed June 4.

ASHER PRIOR and WILLIAM PRIOR, Tonbridge-place, New-road, Middlesex, ironmongers, dealers and chapman, June 28 at 12, and Aug. 6 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Chilton & Co., Chancery-lane.—Petition filed June 7.

JOHN CALLIS, Noble-st., Wood-st., London, victualler, dealer and chapman, June 28 at 1, and Aug. 6 at half-past 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Teague, 5, Crown-court, Cheapside.—Petition filed June 3.

NATHANIEL HEDGE, Bath, silversmith, dealer and chapman, July 2 and 30 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Brittan & Sons, Bristol; Price, 6, Throgmorton-st., London.—Petition filed June 8.

JAMES DOMINY, Sea, Ilminster, Somersetshire, currier and shoemaker, dealer and chapman, June 27 at 1, and July 24 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Salter & Clark, Chard; Stogdon, Exeter.—Petition filed June 10.

BENJAMIN BROWN, Newtown, and late of Welshpool, Montgomeryshire, coach builder, harness maker, dealer and chapman, July 2 and 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Howell, Welshpool.—Petition dated June 15.

MEETINGS.

George Sedgwick, Moorgate-st., London, stationer, June 29 at 12, Court of Bankruptcy, London, and. ac.—*Edward Payne Best*, Crutched-friars, London, and Croom-hill, Greenwich, Kent, wine merchant, July 10 at 11, Court of Bankruptcy, London, div.—*Edward Capetich*, London-street, Greenwich, Kent, upholsterer, July 9 at 2, Court of Bankruptcy, London, div.—*Campbell Wright Hobson*, Raymond-buildings, Gray's-inn, and Gordon-place, Middlesex, money scrivener, July 10 at 11, Court of Bankruptcy, London, div.—*Geo. Wyatt and Henry Thompson*, Portpool-lane, Gray's-inn-lane, Middlesex, brewers, July 9 at 12, Court of Bankruptcy, London, fin. div. sep. est. of *Henry Thompson*.—*Jas. Galley Watson*, Sunderland, Durham, grocer, July 11 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Edward Ash Ball*, Manchester, sharebroker, July 11 at 12, District Court of Bankruptcy, Manchester, fin. div.—*John Richards*, Cefncoedcymmer, Vaynor, Breconshire, licensed victualler, July 11 at 11, District Court of Bankruptcy, Bristol, div.—*John Thomas Nash* and *John Tomkinson* the younger, York, mustard manufacturers, July 9 at 12, District Court of Bankruptcy, Leeds, third and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Wenham, Beckley, Sussex, tailor, July 10 at 12, Court of Bankruptcy, London.—*Robert Howe Gould*, Strand, Middlesex, ice merchant, July 9 at 2, Court of Bankruptcy, London.—*John Stolle* and *Wm. Hodgson*, Christian-street, St. George's-in-the-East, Middlesex, vinegar makers, July 10 at 1, Court of Bankruptcy, London.—*John Heaton*, The Park, near Honley, Almonbury, Yorkshire, clothier, July 9 at 11, District Court of Bankruptcy, Leeds.—*James Galley Watson*, Sunderland, Durham, grocer, July 11 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Margaret Milne*, Manchester, grocer, July 11 at 12, District Court of Bankruptcy, Manchester.—*Philippe Stanger*, *Edward Evans*, and *Solomon Cross*, Birmingham, manufacturers of crown and sheet glass, July 11 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Martin Luther Pritchard and *Robert Norris Dale*, Liverpool, stockbrokers.—*William Cooper*, *Charles Wilson*, and *George Black*, Aldermanbury, London, straw-hat manufacturers.—*Henry Edward Bennett*, Queen's Bench Prison, Southwark, Surrey, carrier.—*John Beales*, Halesworth, Suffolk, apothecary.—*John Crookwaite*, Liverpool, merchant.

SCOTCH SEQUESTRATIONS.

J. & S. Livingston, Glasgow and Leith, merchants.—*Thos. Hamilton & Co.*, Glasgow, manufacturers.—*John Beattie*, Dundee, baker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Shelton, Birmingham, currier, June 24 at 2, County Court of Warwickshire, at Birmingham.—*Henry Latham*, Aston nigh Birmingham, builder, June 24 at 2, County Court of Warwickshire, at Birmingham.—*James Cook*, Birmingham, brewer, June 24 at 2, County Court of Warwickshire, at Birmingham.—*Tapley Simmons*, Penenden-heath, Maidstone, Kent, licensed victualler, July 9 at 12, County Court of Kent, at Maidstone.—*William Robinson*, Calne, Wiltshire, hatter, July 3 at 11, County Court of Wiltshire, at Calne.—*Thomas Peary* the younger, Eastcote, Pattishall, Northamptonshire, butcher, July 1 at 12, County Court of Northamptonshire, at Towcester.—*John Wood* the younger, Horsham, Sussex, assistant to an ironmonger, July 9 at 12, County Court of Sussex, at Horsham.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 2 at 11, before Mr. Commissioner HARRIS.

Thomas Drey, Nag's-head-yard, Leather-lane, Holborn, Middlesex, dealer in timber.—*Thomas Goodland*, Hampden-street, Harrow-road, Paddington, out of business.—*John Daniell*, Harrison-street, Gray's-inn-lane, Middlesex, auctioneer.

July 3 at 11, before the CHIEF COMMISSIONER.

Henry Merrick Key, Russell-street, King's-road, Chelsea, Middlesex, omnibus driver.—*James Thomas Woodson*, Trudgill-terrace, Mortimer-road, Kingland, Middlesex, plumber.—*Thomas Louise Yarnold*, Windsor-terrace, City-road, Middlesex, a.crem.

July 3 at 10, before Mr. Commissioner LAW.

George Langridge, Golden Horse-yard, Theobald's-road, Red Lion-square, Middlesex, cab proprietor.—*William Henry Neale*, Romford, Essex, under-bailiff of the County Court of Romford, Essex.—*William Curtis*, Wellington-place, Liverpool-road, Islington, Middlesex, cheesemonger.—*Saml. Austin*, Fenching-street, Caledonian-road, Islington, Middlesex, brick-layer.

July 4 at 10, before Mr. Commissioner LAW.

Richard Barnes, Duke-street, Tower-street, Waterloo-road, Surrey, hawker.

July 2 at 11, before Mr. Commissioner HARRIS.

Thomas William Badham, Manor-place, Walworth-road, Surrey, attorney's clerk.

July 4 at 11, before the CHIEF COMMISSIONER.

Patrick Scollard, Bermondsey-street, Southwark, Surrey, cheesemonger.

Saturday, June 15.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Elizabeth Hollis Constable, spinster, Mount-pleasant, Lewisham, Kent, No. 57,512 T.; *Thomas Francis Kendall*, new assignee, in place of *Thomas Kirk*, late assignee, deceased.—*Charles Turner*, Duke-street, St. James's, Middlesex, clerk, No. 61,352 T.; *John Elmore*, assignee.—*Richard Batley* the elder, Cobham's-farm, Stratford, Essex, corn merchant, No. 61,498 T.; *George Pell*, assignee.—*John Oliver*, Remington-street, City-road, Middlesex, foreman to an upholsterer, No. 61,564 T.; *John Hutson*, assignee.—*Joseph Summerland*, Liverpool, butcher, No. 7,365 C.; *Henry Langley*, assignee.—*John Barker*, Necton, Norfolk, shoemaker, No. 71,965 C.; *Thomas Ramsdale*, assignee.—*John Andrews*, Liverpool, licensed victualler, No. 72,120 C.; *Robert Pearson Manger*, assignee.—*George Metcalfe*, Hutton Cranswick, near Driffield, Yorkshire, wheelwright, No. 72,307 C.; *Edward Henry Bower*, assignee.—*Samuel William Hunt*, Walton, near Glastonbury, Somersetshire, baker, No. 72,384 C.; *Peter Cornelius Patton*, assignee.—*Andrew Graham*, Newcastle-

upon-Tyne, provision dealer, No. 72,396 C.; *William Br. wise*, assignee.—*William Graham*, Richmond, Yorkshire, licensed victualler, No. 72,404 C.; *James Christopher Thirlwall*, assignee.—*William Walker*, Bedale, Yorkshire, joiner, No. 72,431 C.; *Anthony Wake*, assignee.

Saturday, June 15.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. H. Matthews, Carlisle-terrace, Fairfield-row, Bow, Middlesex, appraiser: in the Debtors Prison for London and Middlesex.—*Simon P. Furrelly*, Southampton-street, Strand, Middlesex, manager to a brewer at Dublin: in the Debtors Prison for London and Middlesex.—*William John Fiele*, Hackney-road, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*S. Cripp*, York-st., Kingsland-road, Middlesex, dealer in toys: in the Debtors Prison for London and Middlesex.—*Henry Ashken*, Upper Eaton-st., Finsley, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Meshaek Sheen*, Upper James-street, Camden-town, Middlesex, eating-house keeper: in the Queen's Prison.—*Wm. Christey*, Beer-lane, Tower-st., London, lighterman: in the Debtors Prison for London and Middlesex.—*John L. Wild*, Temple-place, Blackfriars-road, Surrey, undertaker: in the Queen's Prison.—*John White*, Chestnut-row, Kentish-town, Middlesex, publican: in the Debtors Prison for London and Middlesex.—*Thomas Constable*, Argyll Coffee-room, Great Windmill-street, Haymarket, Middlesex, coffee-house keeper: in the Queen's Prison.—*Charles A. Moad*, Portsmouth, Hampshire, lieutenant in the 50th Queen's Own Regiment: in the Queen's Prison.—*James Baker*, Ockley, near Dorking, Surrey, harness maker: in the Gaol of Horse-monger-lane.—*Giovanni D'Athamasi*, Norfolk-st., Strand, Middlesex, dealer in antiquities: in the Debtors Prison for London and Middlesex.—*Abraham Teasby*, Union-street, Bridge-st., Blackfriars, London, commission agent: in the Debtors Prison for London and Middlesex.—*Wm. Price*, Royal-hill, Greenwich, Kent, baker: in the Queen's Prison.—*Wm. A. Bower*, Colchester, Essex, auctioneer: in the Queen's Prison.—*A. D. Francis*, Garratt-lane, Wandsworth, Surrey, schoolmaster: in the Gaol of Horse-monger-lane.—*George Wynart*, Seestreet, Dover-road, Southwark, Surrey, grocer's shopman: in the Debtors Prison for London and Middlesex.—*Edward Brown*, Dawley-house, Hayes, near Uxbridge, Middlesex, schoolmistress: in the Debtors Prison for London and Middlesex.—*Richard Cyples*, Stafford, in no business: in the Gaol of Stafford.—*Elizabeth Jenkinson*, Quisborough, Yorkshire, licensed hawk: in the Gaol of York.—*Jas. Purden*, Bradford, Yorkshire, auctioneer: in the Gaol of York.—*James Bull*, Stafford, farmer: in the Gaol of Stafford.—*Edward Topley*, Rochdale, Lancashire, carrier: in the Gaol of Lancaster.—*Francis W. Paddon*, Saltaah, Cornwall, china clay merchant: in the Gaol of St. Thomas the Apostle.—*Henry Bullock*, East Keswick, near Wetherby, Yorkshire, farmer's servant: in the Gaol of York.—*John Bail*, Great Berkhamstead, Hertfordshire, farmer: in the Gaol of Hertford.—*Robt. Morrisish*, Littleham, near Bideford, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*James Wm. Rickards*, Landport, Portsea, Hampshire, butcher: in the Gaol of Portsmouth.—*John Brown*, Manchester, spirit agent: in the Gaol of Lancaster.—*Edward Dobson*, South Otterington, near Thirsk, Yorkshire, builder: in the Gaol of York.—*John Horrocks*, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*James C. Miller*, Barton-on-Irwell, near Manchester, commission agent: in the Gaol of Lancaster.—*John Parkyn*, Liverpool, agent: in the Gaol of Lancaster.—*Thos. Tomlinson*, Preston, Lancashire, butcher: in the Gaol of Lancaster.—*Thomas Wigglesworth*, Preston, Lancashire, provision dealer: in the Gaol of Lancaster.—*John Wild*, Haddenfield, Yorkshire, hotel-keeper: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 3 at 10, before Mr. Commissioner LAW.

Nathaniel W. Wrench, Old Ford, Bow, Middlesex, farmer to a whiting manufacturer.—*Rich. Spike* the younger, Hammermith, Middlesex, land surveyor.—*John O'Halloran*, Tavistock-st., Covent-garden, Middlesex, attorney's clerk.—*Richard Smith*, Sutton-at-Hone, Kent, harness maker.—*Allen*, Great Wild-st., Lincoln's-inn-fields, coal dealer.

July 4 at 11, before the CHIEF COMMISSIONER.

W. Wynne, Crown-place, Old Kent-road, Surrey, surgeon.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Monmouthshire, at MONMOUTH, July 12 at 11.

David Bevan, Rhymney Iron-works, haulier.

At the County Court of Oxfordshire, at OXFORD, July 23 at 2.

Richard H. Balcher, Newbridge, near Witney, miller.

At the County Court of Yorkshire, at SHEFFIELD, July 3 at 12.

Robert Simpson, Sheffield, out of business.

At the County Court of Cornwall, at BODMIN, July 3 at 10.

Thomas Glasen, Badoek, farmer.

FRIDAY, JUNE 21.

BANKRUPTS.

RICHARD COPLAND, Union-st., Whitechapel, Middlesex, linendraper, dealer and chapman, June 28 at 2, and Aug. 12 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Surr & Gribble, 89, Lombard-street.—Petition filed June 19.

THE GENERAL COMMISSION SHIP LOAN AND INSURANCE COMPANY, July 4 at 12, and Aug. 14 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Maples & Co., 6, Frederick-place, Old Jewry, London.—Petition filed June 8.

HENRY WILLIAMS and JAMES WELCH, Great Duff-lane, London, and Mile-end, Middlesex, builders and contractors, dealers and chapmen, June 26 at 12, and Aug. 1 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Brewer, 14, Gray's-inn-square.—Petition dated June 10.

BENJAMIN BRUNTON BLACKWELL, Vernal-hill-buildings, Gray's-inn, formerly of Great Russell-street, Covent-garden, Middlesex, coffee-house keeper, dealer and chapman, June 28 and Aug. 1 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. White, 14, Chancery-lane.—Petition dated May 20.

SAMUEL GILLATT, Chapel-st., Grosvenor-sq., Middlesex, builder, June 28 at 12, and Aug. 1 at half-past 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Strong, 44, Jewin-st., Cripplegate.—Petition dated June 19.

JOHN BURNARD, Stanford Rivers, Essex, baker, dealer and chapman, June 28 at 11, and Aug. 1 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Rawling, 7, John-street, Bedford-row, and Romford, Essex.—Petition dated June 20.

WILLIAM MURDOCH, Bristol, draper, July 2 and Aug. 6 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Whittington & Grebble, Bristol; Eade, 10, Staple-inn.—Petition filed June 8.

WILLIAM HENRY GRIFFITHS, Newtown, Montgomeryshire, ironmonger, July 4 and Aug. 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Jones, Newtown, Montgomeryshire.—Petition filed June 8.

WALTER JAMES, Beaufort, Llangattock, Breconshire, provision dealer, grocer, and dealer, dealer and chapman, July 3 and 31 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Hassell, Bristol.—Petition filed June 19.

JOHN MURRAY, Sunderland, Durham, shiphandler, paint grinder, and canvas manufacturer, June 28 at 11, and Aug. 2 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. T. & W. Chater, Newcastle-upon-Tyne; Bell & Co., Bow-churchyard, London.—Petition filed June 13.

MEETINGS.

Alexander Brown and William Todd, Liverpool, provision merchants, July 2 at 12, District Court of Bankruptcy, Liverpool, ch. ass.—*Conrad Greenhow* the younger, Newcastle-upon-Tyne, timber merchant, July 5 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*F. Niles and John Giles*, Steward-street, Spitalfields, Middlesex, silk manufacturers, July 12 at half-past 1, Court of Bankruptcy, London, and. ac.; July 18 at half-past 11, div.—*John Marriott Blackfield*, Albion-wharf, Blackfriars, Surrey, cement

manufacturer, July 12 at 11, Court of Bankruptcy, London, and. ac.; July 19 at 1, div.—*Benj. Kent, Radley*, Bankshire, lodging-house keeper, July 12 at 1, Court of Bankruptcy, London, and. ac.; July 18 at 11, div.—*Frederick Ricketts and Tyevenen James*, Moorgate-street, London, merchants, July 11 at 11, Court of Bankruptcy, London, and. ac. sep. est. of *Fred. Ricketts*: July 12 at 11, div.—*B. Martinelli*, Frederick-st., Regent's-park, and Nottingham-mews, High-st., Marylebone, Middlesex, coachmaker, July 12 at 11, Court of Bankruptcy, London, and. ac.; July 19 at half-past 11, div.—*Fred. Tapley*, Warminster, Wiltshire, linendraper, July 8 at 2, Court of Bankruptcy, London, and. ac.; July 12 at 2, div.—*Archibald Doleen*, Narberth, Pembrokeshire, grocer, July 19 at 11, District Court of Bankruptcy, Bristol, and. ac.; July 22 at 11, div.—*John Hogen*, Hakin, Milford Haven, Pembrokeshire, shipwright, July 4 at 11, District Court of Bankruptcy, Bristol, and. ac.—*J. Richards*, Cefncoedcymmer, Vaynor, Breconshire, licensed victualler, July 4 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Marie Frances Thomas*, widow, Bristol, hotel keeper, July 11 at 11, District Court of Bankruptcy, Bristol, and. ac.; July 13 at 11, div.—*J. T. Phipps*, Darlington, Durham, linendraper, July 16 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Richard White*, Thorney-close and Sunderland, Durham, merchant, July 16 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; July 18 at 1, first and fin. div.—*George Davison*, Alnwick, Northumberland, carpenter, July 23 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; July 24 at 11, div.—*Thomas Fox*, *George Rippon*, *Christopher A. Wawn*, and *William Lishman*, West Cornforth, and Thrislington, near West Cornforth, Durham, limeburners, July 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac. sep. est. of *Thomas Fox*: July 18 at 11, div.—*James G. Watson*, Sunderland, Durham, grocer, July 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*John Watson* and *Robert Young Watson*, Sunderland, Durham, shipbuilders, July 18 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Robert Lead*, Blackburn, Lancashire, cotton spinner, July 11 at 12, District Court of Bankruptcy, Manchester, and. ac.; July 12 at 12, div.—*R. Seddon*, Salford, Lancashire, dyer, July 5 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Edw. Wray*, Kingston-upon-Hull, draper, July 3 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, and. ac.—*May Ormsand Alonso Durant*, Burbage, Leicestershire, surgeon, July 17 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Shepard Mayfield*, Leamington-prices, Warwickshire, upholsterer, July 10 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*William Bedford*, Fen Drayton, Cambridgeshire, publican, July 16 at 12, Court of Bankruptcy, London, div.—*E. Campion* and *J. Campion*, Whithy, Yorkshire, bankers, July 15 at 11, District Court of Bankruptcy, Leeds, div. sep. est. of *Robert Campion*.—*Henry Hapworth*, Selby, Yorkshire, linendraper, July 16 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Nelson John Holloway, Minories, London, clock manufacturer, July 13 at 1, Court of Bankruptcy, London.—*Jos. Robinson Pim*, Birkenhead, Cheshire, brickmaker, July 12 at 11, District Court of Bankruptcy, Liverpool.—*John Watson* and *Robt. Young Watson*, Sunderland, Durham, shipbuilders, July 18 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thos. Wakefield*, Nottingham, merchant, July 17 at 10, District Court of Bankruptcy, Nottingham.—*Samuel Meenley*, Walsall, Staffordshire, horse dealer, July 15 at 10, District Court of Bankruptcy, Birmingham.—*James Guest*, Birmingham, commission agent, July 13 at 10, District Court of Bankruptcy, Birmingham.—*George Geary Mason*, Cinderhill, Ringley, Lancashire, cotton spinner, July 15 at 12, District Court of Bankruptcy, Manchester.—*Alas. Brown and Wm. Todd*, Liverpool, provision merchants, July 15 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Thos. Bretherton, Birmingham, livery-stable keeper.—*J. Peake*, Cricklade, Wiltshire, draper.—*Jos. Starkey*, Old-st., St. Luke's, Middlesex, carpenter.—*Thomas Bayley Cousins*, Wisbeach St. Peter's, Cambridgeshire, shipbuilder.—*George Fred. Gardner*, Rayleigh, Essex, grocer.

FIAT ANNULLED.

Wm. Harris and Henry Harris, Wrexham Paper Mills, Denbighshire, paper manufacturers.

PETITIONS ANNULLED.

Thos. Croft, Whitechapel-road, Whitechapel, stable keeper.
—*John Moody*, Aldersgate-st., London, stock manufacturer.

PARTNERSHIP DISSOLVED.

Nathaniel Cobham and Charles Joseph Ashfield, Ware, Hertfordshire, attorneys and solicitors, (under the style or firm of Cobham & Ashfield).

SCOTCH SEQUESTRATIONS.

Wm. Muir, Glasgow, dealer in iron.—*J. Waddel*, Dundee, manufacturer.—*Alex. M'Farlane*, Blairgowrie, baker.—*John Houston*, Paisley, draper.—*T. Henderson*, Edinburgh, baker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Samuel Rowley, Brierly-hill, Kingswinford, Staffordshire, tailor, July 15 at 10, County Court of Worcestershire, at Stourbridge.—*Thomas Chester*, Middle Rasen, Lincolnshire, butcher, July 10 at 12, County Court of Lincolnshire, at Market Rasen.—*Richard Hack*, Loughborough, Leicestershire, shoemaker, July 8 at 10, County Court of Leicestershire, at Loughborough.—*Wm. Turner*, Leicester, bellhanger, July 11 at 10, County Court of Leicestershire, at Leicester.—*Robt. Hughes*, Margate, Kent, grocer, June 25 at 12, County Court of Kent, at Margate.—*John Coe*, Snettisham, Norfolk, shoemaker, July 13 at 2, County Court of Norfolk, at King's Lynn.—*Joseph Miller*, St. Lawrence, near Ramsgate, Kent, common carrier, June 26 at 10, County Court of Kent, at Ramsgate.—*John Moss*, Scotter, near Gainsborough, Lincolnshire, horseman, July 8 at 9, County Court of Lincolnshire, at Gainsborough.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 6 at 11, before Mr. Commissioner PHILLIPS.

John Salmon, Wellington-terrace, Waterloo-road, Lambeth, Surrey, dyer.—*Isaac Craweour*, St. James's-road, Old Kent-road, Surrey, out of business.—*William Bosley*, East-street, Manchester-square, Middlesex, lodging-house keeper.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 5 at 11, before Mr. Commissioner HARRIS.

William Gamble, Basing-lane, City, plumber.—*George Norton Bailey*, Dufour's-place, Broad-street, Golden-square, Middlesex, tailor.—*James Riskworth*, Ann's-terrace, St. John's-wood, Middlesex, not in any business.

July 6 at 10, before Mr. Commissioner LAW.

Thomas Bristow, Wardour-street, Soho, Middlesex, cow-keeper.—*Samuel Crisp*, Britannia-street, City-road, Middlesex, dealer in toys.

July 6 at 11, before Mr. Commissioner PHILLIPS.

Edward Adam Warren Stone Lowman, Queen's-row, Queen's-road, Dalston, Middlesex, cheesemonger.—*Abraham Teanby*, Union-street, Bridge-street, Blackfriars, London, commission agent.—*William Henry Matthews*, Carlisle-terrace, Fairfield-road, Bow, Middlesex, licensed appraiser.

July 8 at 11, before the CHIEF COMMISSIONER.

Robert Walker, Moreton-street, Vauxhall-bridge-road, carpenter.—*Henry Halsey* the younger, Dorking, Surrey, gentleman.—*Geo. Prince*, Bridge-st., Middlesex, in no business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Ralph Smith, Preston, Lancashire, out of business, No. 72,472; *William M'Clellan*, assignee.—*Wm. Davies*, Liverpool, accountant, No. 72,310; *David Halsworth*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, July 6 at 11.

John Mason, Lancaster, cabinet maker.—*James M'Evoy*, Hulme, Manchester, grocer.—*Thos. Wigglesworth*, Preston,

out of business.—*William Williams*, Bootle, near Liverpool, licensed victualler.—*John Horrocks*, Manchester, retail dealer in ale.—*William Mason*, Liverpool, salt merchant.—*Thomas Cowan*, Manchester, engraver.—*Thomas Tomlinson*, Preston, butcher.—*James Capple Miller*, Barton-on-Irwell, near Manchester, commission agent.—*Henry Rowland*, Heaton, near Bolton-le-Moors, barrack-serjeant.—*Thomas Wallis Beedle*, Liverpool, out of business.—*William Chatfield*, Manchester, grocer.—*Edward Rayner*, Droyloden, near Manchester, druggist.—*Thomas Hilton*, Hulme, Manchester, out of business.—*Richard Allanson*, Manchester, out of business.

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The Jurist

No. 703—Vol. XIV.

JUNE 29, 1850.

PRICE 1s.

* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

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LONDON, JUNE 29, 1850.

THE Court of Criminal Appeal, established under the stat. 11 & 12 Vict. c. 78, has been productive of much benefit in defining and fixing, by well-considered decisions, that branch of law which comes within its cognisance. We propose to give to our readers a summary of the more recent of these decisions, in the hope that they may be found useful at this period of approaching quarter sessions and assizes.

First, as to the jurisdiction of the tribunal itself, it is decided not to extend to judgments upon demurrer; (*Reg. v. Faiderman*, 14 Jur., part 1, p. 377); and it is expressly declared, by the New Order of Trinity Term, 13 Vict., that no case is to be heard upon any demurrer to the pleadings.

One class of cases refers to the definition of offences.

1. *Embezzlement and Larceny*.—The distinction between larceny and embezzlement by a servant has been clearly pointed out in the case of *Reg. v. Watts**. The prisoner was a clerk in the Globe Assurance Office, and he was found guilty of stealing a piece of paper, (a returned paid cheque), the property of the directors. It appeared, that, by the course of business between the company and its bankers, the paid cheques were returned to the directors, and became their vouchers; and that it was one of the prisoner's appointed duties to receive and keep for his employers such returned cheques. The conviction was affirmed, upon the ground that the paper had reached its ultimate destination when it came to his keeping, and that such keeping, being for his masters, made his possession theirs†. The

* June 24, 1850, not yet reported.

† The prisoner was a shareholder in the company, but this was held to make no difference, because, as such, he had no property in the paper.

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case was distinguished, for this reason, from *Reg. v. Masters*, (Den. C. C. 332), where the duty of the servant was to hand money over to another servant of his master, and the first one, having fraudulently retained it, was held guilty of embezzlement.

In *Reg. v. Adey* (19 L. J., M. C., 149) the prisoner was employed by two overseers, as their servant, to collect poor-rates in a parish in which there were two overseers and two churchwardens. As such collector, he obtained and embezzled a tenant's rate from a landlord. It was held, that although the overseers could not have enforced this payment from the landlord, the money was received by the prisoner by virtue of his employment, and on account of his masters, and that it might be described as the property of the two overseers. (See also *Reg. v. Hawkins*, 14 Jur., part 1, p. 513).

Where the prisoner went away with the prosecutor's wife, assisted her in placing wearing apparel in a box, and removing it from her husband's house, and afterwards, while she remained in adultery with him, pledged some of the articles, and applied the money to his own purposes, the following direction to the jury was held to be correct: first, if they were of opinion that the prisoner, going away with the prosecutor's wife for the purpose of adulterous intercourse, was engaged jointly with her in taking the goods; or, secondly, if the prisoner, though not a party to the original taking or removal, had appropriated any of the goods to his own use, he was guilty of larceny. (*Reg. v. Thompson*, 14 Jur., part 1, p. 488).

A drover, employed by the prosecutors to drive pigs, and paid wages by the day for the driving, but being at liberty to drive the cattle of other persons, sold the pigs at the end of his journey, and converted the pro-



ceeds to his own use. The Court held this not to be larceny, as, at the time he received the pigs, he had no intention of appropriating them to his own use, and as he was merely a bailee, and not a servant. (*Reg. v. Hey*, 2 Car. & K. 983; 14 Jur., part 1, p. 154).

2. *False Pretences*.]—Where the secretary of an Odd Fellows Society falsely pretended to a member of the society that a sum was due from him to the society for fines, whereby he fraudulently obtained such sum, it was held to be a false pretence within the statute, although the prosecutor had full means of inquiry into the fact. (*Reg. v. Woolley*, 14 Jur., part 1, p. 465; 19 L. J., M. C., 165). Parke, B., referred with approbation to a note in 2 Russ. Cr. 289, upon the subject.

The obtaining by false pretence a railway ticket is obtaining a chattel of the railway company by such false pretence within the statute; (*Reg. v. Boulton*, 19 L. J., M. C., 67); and a begging letter, making false representations as to the condition and character of the writer, by means of which money is obtained, is also such a false pretence. (*Reg. v. Jones*, 14 Jur., part 1, p. 533).

3. *Assault, with Intent &c.*]—A medical practitioner had sexual connexion with a female patient, of the age of fourteen years, who had for some time been receiving medical treatment from him. The jury having found that she was ignorant of the nature of the defendant's act, and that she made no resistance, solely from a bona fide belief that the defendant was (as he represented) treating her medically, with a view to her cure, he was held to be guilty of an assault; and it seems that he might have been indicted for a rape. (*Reg. v. Case*, 14 Jur., part 1, p. 489).

4. *Poisoning*.]—Administering unbroken oculus indicus berries to an infant is administering poison within the 7 Will. 4 & 1 Vict. c. 85, s. 2, although it is proved that the berries are not poisonous until the exterior or pod is broken, and that, by reason of the weakness of the infant's digestive organs, the berries are innocuous. (*Reg. v. Cluderay*, 14 Jur., part 1, p. 71; 2 Car. & K. 807).

5. *Threatening Letter*.]—In *Reg. v. Smith*, (14 Jur., part 1, p. 92), a letter, stating that a certain evil was about to happen to the prosecutor, which would be prevented by the payment of money to the writer, was held to be a threatening letter within the 7 & 8 Geo. 4, c. 29, although the writer did not threaten that he himself would do any mischief. It was also decided, that the doctrine that the threat held out must be such as would be likely to intimidate a firm man, and not merely one of a timid disposition, must be taken to refer to the nature of the threat, and not to the nerves of the party to whom it is addressed.

We shall conclude this summary in our next number.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—Edward Hugh Jackson, of Wisbech, Cambridgeshire; Robert Hick, of Thirsk, Yorkshire; John Albert Copland, of Chelmsford, Essex; Henry Atkinson, of Manchester; John Cole Copeman, of Loddon, Norfolk; James Cole Copeman, of Loddon, Norfolk; Edward Chilcott, of Tavistock, Devonshire.

RELATIVE LIABILITIES OF DEVISEES AND LEGATEES TO THE PAYMENT OF DEBTS.

In the 47th chapter of his *Treatise on Wills*, Mr. Jarman states the order of the application of the several funds liable to the payment of debts to be as follows:—

"1st. The general personal estate not expressly or by implication exempted.

"2ndly. Lands expressly devised to pay debts, whether the inheritance or a term carved out of it be limited.

"3rdly. Estates which descend to the heir, whether acquired before or after the making of the will.

"4thly. Devised or bequeathed property, real or personal, which is charged with debts, and then specifically disposed of subject to such charge.

"5thly. General pecuniary legacies pro rata.

"6thly. Specific legacies pro rata.

"7thly. Real estate devised, and, if the rule be subject to the old law, whether in terms general or specific."

In a note to the last paragraph, Mr. Jarman cites *Clifton v. Burt*, (1 P. Wms. 678), and adds, (vol. 2, p. 547)—

"But in *Long v. Short*, (2 Vern. 756; S. C., 1 P. Wms. 403), Lord Cowper seems to have made specific legatees and devisees contribute rateably to pay specialty creditors. It is difficult to sustain this doctrine; and the distinction taken in it between cases where the devise is specific, and where it is in general terms, is clearly untenable, the established doctrine of the cases under the old law being, that every devise, however general in terms, was virtually specific. (*Forrester v. Lord Leigh*, Amb. 173; *Scott v. Scott*, 1 Eden. 459; *Sheeling v. Brown*, 5 Ves. 389; *Milnes v. Slater*, 8 Ves. 306, overruling *Gower v. Mead*, Pro. Ch. 3). And see particularly *Marechaise v. Souffle*, (2 My. & C. 685), where Lord Cottenham took a general view of the authorities for the proposition, that pecuniary legatees are not entitled to have the assets marshalled as against a residuary devisee of lands, the principle applicable to specific and residuary devisees being identical." After illustrating this principle Mr. Jarman proceeds—"It remains to be seen whether this doctrine will prevail in reference to wills which are subject to the new law, to which the ground of the doctrine does not apply, as a general or residuary devise is, by the recent enactment, made to extend to all the real estate belonging to a testator at the time of his decease, thereby abolishing all distinction between real and personal estate in this particular."

In *Clifton v. Burt*, (1 P. Wms. 678), which is the authority cited by Mr. Jarman for his proposition that specific legacies are applicable to the payment of debts before real estate devised in terms either general or specific, the point actually decided was different. There the testator had devised real estate to J. B. by a specific description. There was no charge of debts or legacies on the realty, but there was a charge on copyholds which failed for want of a surrender to the use of the will. Upon the original hearing, Lord Harcourt ordered that, "in case any of the testator's specialty debts had been paid out of the personalty," the creditors by simple contract, and legatees, were to stand in the place of the creditors by specialty, and have satisfaction out of the real estates, so far as the personal estate had been applied in payment of such debts, in equal proportion." On a rehearing, Lord Parker reversed that part of the decree which subjected the devised estate to the legacies, observing, that every devisee of land is as a specific legatee, and shall not be broken in upon or made to contribute towards a pecuniary legacy; and that even a specific legatee is preferred to a pecuniary legatee.

and a specific devisee is more favoured than a specific legatee. Even the dictum in that case, therefore, scarcely warrants the proposition for which it was cited.

In *O'Neal v. Mead*, (1 P. Wms. 694), however, Sir J. Jekyl, M. R., appears to have considered that the doctrine in *Clifton v. Burt* was applicable to specific as well as to pecuniary legatees. He there held, that the devisee of a mortgaged freehold estate could not throw the burthen of the debt on a specific legatee of a leasehold, because the testator had himself imposed the burthen on the real estate. But he said this resolution did not in the least interfere with that of *Clifton v. Burt*, because in the latter there was no mortgage. If his Honor had thought that there was any distinction between specific and pecuniary legatees, he would not have dwelt on the existence of the mortgage.

In *Haslewood v. Pope*, (3 P. Wms. 322), Lord Talbot, C., is said to have determined several points, of which the fifth was, that "where a man dies indebted by bond, and leaves a personal estate, and devises lands to J. S. in fee, and gives specific legacies, and the creditor by bond comes on the personal estate to be paid his bond, the specific legatees shall not stand in the place of the bond creditor to charge the land devised, because the devisee of the land is as much a specific devisee as the legatee of a specific legacy." But the case actually decided appears to have been this:—A testator devised all his real estates in W. and M. to trustees in fee, in trust, out of the rents, or by sale, to pay his debts, and gave the surplus of his real estates, after payment of his debts, to his daughter, or such other person as should be entitled to his settled estates, and he gave all his personal estate to his daughter, and made her sole executrix. It was held, that the personal estate, being the natural fund for the payment of debts, was primarily applicable in payment of debts. But the decision was principally grounded on the fact, that the same person was devisee of the realty and legatee of the personalty.

In *Hanby v. Fisher or Roberts*, (Amb. 127; Dick. 104; 2 Coll. 612), also, the point decided was different, being simply, that where a legacy to A. was charged on the real and personal estate, and other legacies were not charged on the realty, the other legatees were entitled to throw A.'s legacy on the realty in exoneration of the personal fund required for payment of their legacies. But some of Lord Hardwicke's dicta in that case appear to agree with the fifth resolution in *Haslewood v. Pope*. He said, "If land is devised, the legatee shall not stand in the place of creditors, because it appears to be the intent that the devisee should have it, as much as it appears that the legatee should have his legacy. If there is no land, and specific and pecuniary legacies, the latter have no right to stand in place of creditors against the specific, from intention, without any contribution; but if land and money, and legacies and specialty debts, and rest of real and personal to another, the legatee shall affect the land, because given as a residue, and no specific thing given." Upon the suggestion that the land and money should contribute equally, his Lordship said, that was not the intention, and there was no case of any contribution between the devisee of a real estate and legatee of pecuniary things.

The dictum in *Haslewood v. Pope* is supported by the decisions as to a widow's paraphernalia, in respect of which it has been held, that she has a right to exoneration as against specific legatees; (*Sneleom v. Corbet*, 3 Atk. 369; *Tipping v. Tipping*, 1 P. Wms. 729; *Graves v. Londonderry*, 3 Atk. 395); but not as against devisees where there is no charge of debts on the realty. (*Ridout v. Plymouth*, 2 Atk. 104; *Probert v. Clifford*, Amb. 6; 2 P. Wms. 544, note. See a dictum in *Tynt v. Tynt*, 2 P. Wms. 544, contra).

In *Long v. Short*, (1 P. Wms. 403) the question arose

between specific legatees of a leasehold, and the devisee of all the testator's freeholds. Lord Cowper decreed that the legatee of the leasehold, and the general devisee, should contribute rateably to the payment of the specialty debts; but as to the debts by simple contract, if there should be not enough over and above to pay them, they must fall upon the leasehold premises only. He said, "The devise of a term for years is as much a specific devise as a devise of lands in fee. Wherefore, each being equally specific devisees, it would in this case be an equal disappointment of the testator's intent to defeat either by subjecting it to the testator's debts." The reporter adds, that the Court allowed, that if the devise had been to A. of all the rest of the testator's lands, this had been a residuary (not specific) devise, and the person taking thereby should not have come in until after all the debts by specialty, or otherwise, had been paid out of his inheritance. The devise, however, in *Long v. Short*, being of all the testator's lands, seems to have been equivalent to a residuary devise.

In *Silk v. Prime*, (1 Dick. 384; 1 Bro. C. C. 138; 2 Coll. 509), Sir T. Sewall, M. R., decreed payment of debts, which the personalty and the real estate charged with debts were insufficient to satisfy, out of the personal estate specifically bequeathed and real estate specifically devised. The report does not state that this decree was confined to the specialty debts. There were debts of both kinds, for the decree was appealed from on the point, whether the real estate charged with debts was equitable assets.

In *Mirehouse v. Scaine* (2 My. & C. 695) pecuniary legatees sought to have satisfaction out of the residuary real estate, either by marshalling the debts on that estate on grounds of general equity, or under the special terms of the will, which they contended charged the legacies on the realty; and Lord Cottenham, C., held, that they were entitled to relief on the construction of the will; but, on the authority of *Forrester v. Leigh*, (Amb. 171); *Scott v. Scott*, (1 Eden, 459); and *Keele v. Brown*, (5 Ves. 359), denied the existence of the general equity claimed in favour of pecuniary legatees. As between specific legatees or specific devisees and residuary devisees, his Lordship appears to have thought that the dicta of Lords Hardwicke and Cowper in *Hanby v. Roberts* and *Long v. Short*, and the decision in *Spong v. Spong*, (3 Bligh, N. S., 84), had settled, that although a residuary devise is, for some purposes, to be considered as specific, it so far differs from a specific gift as to be subject to the payment of debts in exoneration of a specific legatee or devisee.

In *Cornwall v. Cornwall*, (12 Sim. 298), Sir L. Shadwell, V. C., held, that specific legatees had no right to require specific devisees to contribute to specialty debts, on the ground that the statutes of fraudulent devisees were made for the benefit of creditors, and not of legatees.

In *Young v. Hassard*, (1 Jo. & Lat. 466), Sir E. Sugden, C., held, that where there was a general charge of annuities on freehold and leasehold lands devised to different persons, the burthen must be borne by the lands rateably, without distinction of tenure, although the chattel estates were given subject to a general charge of debts, and together with the residue of the testatrix's property. His Lordship expressed his dissent from the decision in *Cornwall v. Cornwall*.

In *Tombs v. Rock*, (2 Coll. 490), the testator having devised certain real estates by a particular devise, and all other his real estates, to certain uses, it was held that the devisees were bound to contribute rateably with specific legatees to the payment of debts, the personal estate not specifically bequeathed being sufficient for payment of the simple contract debts, but not for payment of the specialty debts. Sir J. L. Knight Bruce grounded his decision on the presumption, that the testator intended all his specific gifts to take effect, so

far as could be done consistently with the claims of his creditors, and if not in full, then rateably, and without any distinction between realty and personalty. His Honor took notice that the assets were wholly legal, and that the devise was not to be considered as a residuary devise.

This case was followed in *Gervis v. Gervis*, (14 Sim. 654), and recognised in *Jackson v. Hamilton*, (3 Jo. & Lat. 702), (which, however, was a case of contribution between two specific devisees), and *Bateman v. Hotchkin*, (10 Beav. 434).

From the foregoing statement of the cases, it appears that, though there is considerable conflict of authority, the balance preponderates in favour of the right of a specific legatee to contribution from a specific devisee. Whether this conclusion is reconcilable with the general spirit of the rules of equity as to the administration of assets, (which clearly favour the exoneration of real estate), may, perhaps, be doubted. It is founded wholly on the assumption, that the testator intended that all the objects of his bounty should stand on an equal footing, if possible. But that the Courts will not always act upon such a presumption is clear. Thus it is settled that a pecuniary legatee has no claim to contribution by a specific legatee, although there is no reason for supposing that the testator had not an equally strong desire to benefit the one as the other. If it be said that the personalty not specifically bequeathed is the primary fund for payment both of debts and pecuniary legacies, it may be answered, that the same reason applies to the case between a specific legatee and a devisee. There the personalty is the primary fund; and in each case the contest is between two parties equally intended to be benefited by the testator, but one of whom must be disappointed if the creditors, having a right to resort to two funds, are paid exclusively out of that which, in the absence of any intention expressed or implied, is regarded as the primary fund for the purpose. If the statutes of fraudulent devises had never been passed, the devisee would have been safe from contribution. Can it be said that the accident of the Legislature having given to the creditors a further security than they formerly had, has altered the intentions of testators? The testator finds the law to be, that personalty is the primary fund for payment of debts. The law is certainly unreasonable, but he disposes of his real and personal property without expressing any dissatisfaction with the law, or any intention to control its application. Is it not to be presumed that he was content to leave his assets to be applied in payment of his debts, according to the ordinary rule? It may be admitted, that when a testator has charged his debts on his real estate, he has expressed an intention to exclude the ordinary rule; and in the cases in which such charges have been held to entitle even pecuniary legatees to exoneration out of estates devised, effect has been given to such intentions; and if the principle of *Long v. Short* is correct, it also should be extended to pecuniary legatees.

With respect to devises residuary in terms, there seems to be sufficient authority for holding that the property included in such devises, even in wills operating under the old law, is to be applied towards payment of debts in exoneration of specific devisees, and even of specific legatees, but not, as it seems, in exoneration of pecuniary legatees—another exception to the principle of the rule in *Long v. Short*. In cases governed by the recent Statute of Wills, the old doctrine, that a residuary devise is necessarily specific, must be wholly abandoned, and a new field will be opened for applying the principle upon which *Long v. Short* and *Tombs v. Rock* were decided. If, as was assumed in those cases, a testator has an intention to benefit his legatees and devisees, irrespectively of the nature of the property bequeathed, and if, as is clear from other cases, a pecuniary

legacy, or a specific gift, is to be preferred to a residuary gift, pecuniary legatees should now be allowed to throw the burthen of the debts on the residuary devisee, if the personalty is inadequate.

No case has yet been decided as to the liability of a devisee to contribute to simple contract debts. But it is plain, that since the stat. 3 & 4 Will. 4, c. 104, the liability of a devisee is the same in respect of simple contract debts as in respect of specialty debts. That statute has made real estate assets to be administered in equity for the payment of simple contract debts, as well as debts by specialty, and has rendered heirs and devisees liable to the same suits in equity in respect of the one kind of debts as the other, but without prejudice to the priorities of specialty creditors.

London Gazette.

TUESDAY, JUNE 25.

BANKRUPTS.

JOHN BARNARD, (and not *Barnard*, as advertised in last Friday's Gazette), Stanford Rivers, Essex, baker, dealer and chapman, June 28 and Aug. 1 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Rawlings, Romford, Essex, and 7, John-street, Bedford-row.—Petition dated June 20.

ELIZABETH APPLETON PEAKOME, Princes-street, Cavendish-square, Middlesex, saddler, dealer and chapwoman, July 4 and Aug. 8 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Rooker, Bideford, Devonshire; Winter & Co., 16, Bedford-row, London.—Petition dated June 19.

THOMAS CHEATWOOD JONES, Blackfriars-road, Surrey, linendraper, dealer and chapman, July 4 at half-past 11, and Aug. 8 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Jones, 190, Tooley-street, Southwark.—Petition dated June 22.

SAMUEL TAYLOR, Staines, Middlesex, grocer, dealer and chapman, July 4 at 11, and Aug. 12 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Horne & Son, Staines; Chilton & Co., 7, Chancery-lane.—Petition filed June 21.

JAMES NEWLAND BAKER, Alton, Southampton, sectioneer and currier, July 8 at 2, and Aug. 13 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. W. & E. Dyne, 61, Lincoln's-inn-fields.—Petition filed June 24.

JOHN RICHARDSON, Edgeware-road, Middlesex, ironmonger, dealer and chapman, July 10 at 2, and Aug. 13 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Tattershall, 9, Great James-street, Bedford-row.—Petition filed June 18.

CLEMENT PRETTY, Leicester, grocer and tea dealer, dealer and chapman, July 12 and Aug. 16 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleson; Sol. Gregory, Leicester.—Petition dated June 18.

JOHN WHITE, Dudley, Warwickshire, innkeeper, dealer and chapman, July 10 and 31 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Res. Worcester; Wright, Birmingham.—Petition dated June 20.

WILLIAM TYTHER, Birmingham, tallowchandler, dealer and chapman, July 3 and 31 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Pemberton, Liverpool; Bloxham, Birmingham.—Petition dated June 15.

JOHN BARKER, Manchester and Salford, Lancashire, victualler and vintner, July 11 and Aug. 1 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Stringer, Stockport, Cheshire.—Petition filed June 20.

HUGH HUGHES, Portmadoc, Carnarvonshire, shipowner, July 4 and Aug. 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Evans & Son, Liverpool; Jones, Portmadoc.—Petition filed June 14.

JOHN HUNT, Middleton, Lancashire, silk manufacturer, dealer and chapman, July 8 and 29 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Allen, Manchester.—Petition filed June 15.

MEETINGS.

John Arnett, St. Dunstan's-hill, London, Custom-house agent, July 9 at 1, Court of Bankruptcy, London, aud. ac.—*William Woodbridge*, Mincing-lane, London, colonial broker, July 10 at 1, Court of Bankruptcy, London, aud. ac.—*Edw. G. Self*, Dorchester, Dorsetshire, ironmonger, July 24 at 11, District Court of Bankruptcy, Exeter, aud. ac.; July 25 at 1, div.—*L. T. Sabine*, Weymouth, Dorsetshire, ironmonger, July 24 at 11, District Court of Bankruptcy, Exeter, aud. ac.; July 25 at 1, div.—*H. Hepworth*, Selby, Yorkshire, linendraper, July 15 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*William Stubbs*, Chappel Allerton, Yorkshire, innkeeper, July 8 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Longbottom*, Leeds, Yorkshire, machine manufacturer, July 8 at 12, District Court of Bankruptcy, Leeds, aud. ac.—*Francis Golding*, Tunbridge Wells, Kent, grocer, July 15 at 12, Court of Bankruptcy, London, div.—*Richard Knight*, Albert-place, Mitcham-road, Croydon, Surrey, licensed victualler, July 15 at 12, Court of Bankruptcy, London, div.—*George Pearson Hutchison*, Crawford-st., Marylebone, Middlesex, grocer, July 15 at 1, Court of Bankruptcy, London, div.—*Edward Wray*, Kingston-upon-Hull, draper, July 24 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, div.—*Wm. Dixon*, Manchester, ironmonger, July 18 at 11, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thos. Collingwood, Nuneham Courtney, Oxfordshire, innkeeper, July 17 at 11, Court of Bankruptcy, London.—*H. Spiller*, St. John's-wood-terrace, St. John's-wood, St. Marylebone, Middlesex, alster, July 15 at 11, Court of Bankruptcy, London.—*George Wilson*, Wakefield, Yorkshire, draper, July 18 at 11, District Court of Bankruptcy, Leeds.—*James Pennock*, York, farrier, July 18 at 11, District Court of Bankruptcy, Leeds.—*George Page*, Wolverhampton, Staffordshire, coal dealer, July 18 at 12, District Court of Bankruptcy, Birmingham.—*Thos. Holland*, Coventry, Warwickshire, builder, July 18 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Richard West, Mill-wall, Poplar, Middlesex, block maker.—*John Prentice*, Oxford, ironmonger.—*Alfred Mose*, Cambridge, grocer.—*Wm. Benj. Blaber*, Little Britain, London, plumber.—*Edward Lord* and *Wm. Archer*, Painswick, Gloucestershire, millers.—*Matthew Dixon Robinson*, Dudley, Worcestershire, confectioner.—*W. Walker*, Mansfield, Nottinghamshire, innkeeper.—*Jos. Chawner*, Kenilworth, Warwickshire, grocer.—*John Bynner*, Oswestry, Shropshire, grocer.—*Joseph Finemore*, Birmingham, steel pen manufacturer.

PARTNERSHIP DISSOLVED.

John Hayward and *Wm. Hayward*, Oswestry, Shropshire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

William Ross, Portobello, Edinburgh, innkeeper.—*William Hodge*, Leith, shipowner.—*John Norie*, Inverness, merchant.—*James Hewat*, Dumfries, chemist.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Walter Scott, Eccles, Lancashire, printer, July 3 at 12, County Court of Lancashire, at Salford.—*Owen Perry*, Bangor, Carnarvonshire, victualler, July 10 at 10, County Court of Carnarvonshire, at Bangor.—*John Waldo Pring*, Bangor, Carnarvonshire, surgeon, July 10 at 10, County Court of Carnarvonshire, at Bangor.—*Den. Williams*, Glyncoirrie, Bangor, Carnarvonshire, publican, July 10 at 10, County Court of Carnarvonshire, at Bangor.—*Wm. James Foot*, Milton-next-Sittingbourne, Kent, licensed victualler, July 9 at 12, County Court of Kent, at Maidstone.—*Wm. Blackland*, Oversley-green, Arrow, Warwickshire, shoemaker, July 4 at 2, County Court of Warwickshire, at Alcester.—*Richard Jackson*, Ulverston, Lancashire, innkeeper, June 29 at 9, County Court of Lancashire, at Ulverston.—*Elizabeth Timmins*, Dudley, Worcestershire, licensed victualler, July 12 at 3, County Court

of Worcestershire, at Dudley.—*Joseph Sykes*, Huddersfield, Yorkshire, innkeeper, July 5 at 10, County Court of Yorkshire, at Huddersfield.—*Robert Kaye*, Almondbury, Yorkshire, grocer, July 5 at 10, County Court of Yorkshire, at Huddersfield.—*Sarah Jukes*, widow, Rodington, Shropshire, farmer, July 12 at 10, County Court of Shropshire, at Wellington.—*Richard Beech*, Coal Pit Bank, Wombridge, Shropshire, charter master, July 12 at 10, County Court of Shropshire, at Wellington.—*Charles Hiorns*, Leamington Priors, Warwickshire, baker, July 8 at 12, County Court of Warwickshire, at Warwick.—*William Hilton*, Shaw, near Oldham, Lancashire, tea dealer, July 5 at 12, County Court of Lancashire, at Oldham.—*John Hordern*, Leamington Priors, Warwickshire, watchmaker, July 8 at 12, County Court of Warwickshire, at Warwick.—*William Swales*, Leeds, Yorkshire, butcher, July 26 at 10, County Court of Yorkshire, at Leeds.—*Thomas Loverock*, Dudley, Worcestershire, retail brewer, July 12 at 3, County Court of Worcestershire, at Dudley.—*James Leech*, Longwood, Huddersfield, Yorkshire, manager of a fancy manufactory, July 5 at 10, County Court of Yorkshire, at Huddersfield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 9 at 11, before Mr. Commissioner HARRIS.

Richard Moul, Liqueurpond-street, Gray's-inn-lane, Middlesex, ginger-beer manufacturer.—*Robert Busby*, Woodstreet, Bethnal-green, Middlesex, milkman.—*Levi Green*, Johnstreet, Harper-street, New Kent-road, Surrey, carpenter.

July 10 at 11, before the CHIEF COMMISSIONER.

James Simpson, Bexley-heath, Crayford, Kent, retailer of beer.—*Anthony Pether*, Newgate-market, meat salesman.

July 10 at 10, before Mr. Commissioner LAW.

Thos. Ellison, John-street, Waterloo-road, Surrey, builder.—*Samuel Brett*, High Holborn, Middlesex, auctioneer.

July 11 at 11, before the CHIEF COMMISSIONER.

George Graves the younger, Blackman-street, Borough, Surrey, dentist.

Saturday, June 22.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Bothamley, Fleet Fen, near Holbeach, Lincolnshire, in no business, No. 72,400 C.; *Thomas Cope* and *Thomas Marshall*, assignees.—*John Trott*, Stainton Dale, near Scarborough, Yorkshire, farmer's labourer, No. 72,333 C.; *Richard Parkinson*, assignee.—*Joseph Hadley*, Calf-heath-lane, near Penkridge, Staffordshire, coal agent, No. 72,106 C.; *James Haywood*, assignee.—*Josiah Crutchley*, Tottenhall, near Wolverhampton, Staffordshire, grocer, No. 72,156 C.; *George Hand*, assignee.—*Thomas Rayner*, West Burton, near Leyburn, Yorkshire, collier, No. 72,370 C.; *Robert Petty*, assignee.—*Saml. Line*, Glossop, Derbyshire, grocer, No. 72,374 C.; *Ann Shaw*, assignee.—*John Lillierapp*, Mavey, Devonshire, farmer, No. 72,126 C.; *Nicholas Glanville*, assignee.—*Thos. Harper* the elder, Huntley, Gloucestershire, carpenter, No. 72,485 C.; *John Morris* the elder, assignee.—*Richard Lecey* the elder, Winchcomb, Gloucestershire, farmer, No. 72,423 C.; *Oswell Lloyd Evans*, assignee.—*Louis Watson*, Craven-street, Strand, Middlesex, coal merchant, No. 61,526 T.; *William Bent*, assignee.

Saturday, June 22.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

James Crane, Powis-place, Great Ormond-street, Queen-square, Bloomsbury, Middlesex, coal agent: in the Queen's Prison.—*Caleb Basan*, Half Moon-street, Piccadilly, Middlesex, surgeon: in the Queen's Prison.—*William Palmer*, Cumberland-street, Hackney-road, Middlesex, merchant's clerk: in the Queen's Prison.—*Thomas Richard Bromage Roberts*, Holborn-hill, London, tailor: in the Debtors Prison for London and Middlesex.—*William Hornblower*, Park-

road, Highbury-vale, Highbury, Middlesex, copperplate printer: in the Queen's Prison.—*Geo. Lewkelling Millard* the younger, Arundel-street, Strand, Middlesex, medical student: in the Debtors Prison for London and Middlesex.—*John Richards*, King's-road, Gray's-inn, Middlesex, attorney-at-law: in the Debtors Prison for London and Middlesex.—*George Dover*, Ebury-square, Pimlico, Middlesex, smith: in the Debtors Prison for London and Middlesex.—*Thomas Brown*, Edgeware-road, Marylebone, Middlesex, undertaker: in the Queen's Prison.—*Henry Richardson*, High-street, Hampstead, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*John Firman*, High-street, Whitechapel, Middlesex, tavern keeper: in the Debtors Prison for London and Middlesex.—*James Lucy*, Caroline-place, Copenhagen-street, Islington, Middlesex, committee clerk: in the Debtors Prison for London and Middlesex.—*William Money*, Myddleton-square, Clerkenwell, Middlesex, clerk to a judge: in the Debtors Prison for London and Middlesex.—*William Whitehead*, Strand, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—*James Leigh*, Strand, Middlesex, cotton spinner: in the Debtors Prison for London and Middlesex.—*Compton Reade*, Bedworth and Attleborough, Warwickshire, attorney-at-law: in the Queen's Prison.—*Wm. Conway*, Edgeware-road, Middlesex, earthenware dealer: in the Queen's Prison.—*William D. Johnson*, Richmond-street, Rupert-st., Haymarket, in no trade: in the Debtors Prison for London and Middlesex.—*Thos. Halstead*, Pleasant-place, Kingsland-road, Middlesex, sailmaker: in the Debtors Prison for London and Middlesex.—*Benj. Allport*, Malpas, Cheshire, farmer: in the Gaol of Chester.—*Thomas W. Beedle*, Liverpool, shipbroker: in the Gaol of Lancaster.—*Thomas Cowen*, Manchester, engraver: in the Gaol of Lancaster.—*R. Pendlebury*, Blackburn, Lancashire, butcher: in the Gaol of Lancaster.—*Henry Rogers*, Sheffield, Yorkshire, licensed victualler: in the Gaol of York.—*E. Rayner*, Droylsden, near Manchester, grocer: in the Gaol of Lancaster.—*Hen. Rowland*, Heaton, near Bolton-le-Moors, Lancashire, barrack sergeant: in the Gaol of Lancaster.—*George Spencer*, Emscote, St. Nicholas, Warwick, Warwickshire, farmer: in the Gaol of Warwick.—*Edward Wilson*, Manchester, grocer: in the Gaol of Lancaster.—*William Williams*, Bootle, near Liverpool, licensed victualler: in the Gaol of Lancaster.—*Thomas Hilton*, Hulme, Manchester, plate-glass dealer: in the Gaol of Lancaster.—*Charles Wood*, Warmsworth, near Doncaster, Yorkshire, farmer: in the Gaol of York.—*Richard Wood*, Warmsworth, near Doncaster, Yorkshire, carpenter: in the Gaol of York.—*Chas. Bowman*, Scruton, near Bedale, Yorkshire, timber merchant: in the Gaol of York.—*John Watkin*, Leeds, Yorkshire, greengrocer: in the Gaol of York.—*John Gyde*, Cheltenham, Gloucestershire, coal merchant: in the Gaol of Gloucester.—*Michael L. Shacklock*, Nottingham, plumber: in the Gaol of Nottingham.—*Wm. Thompson*, Manchester, provision dealer: in the Gaol of Lancaster.—*Sarah Beckley*, Upper-road, Deptford, Kent, bookseller: in the Gaol of Maidstone.—*Stephen Fromow*, Norwich, dealer in cattle: in the Gaol of Norwich.—*John Middleton*, Birmingham, German silver worker: in the Gaol of Coventry.—*Thos. Proger*, Brynmawr Llanelly, Brecknockshire, ironmonger's assistant: in the Gaol of Brecknock.—*James Roberts*, Smethwick, Staffordshire, manager to a steel manufacturer: in the Gaol of Stafford.—*Theodore Sheldon Tearne*, Cheltenham, Gloucestershire, surgeon: in the Gaol of Gloucester.—*Neill Malcolm*, Chesbunt, Hertfordshire, barrister-at-law: in the Gaol of Hertford.—*John Taylor* the younger, Littleworth, Gloucestershire, licensed victualler: in the Gaol of Gloucester.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 10 at 10, before Mr. Commissioner Law.

John Sherrard, Gravel-lane, near Guildford-st., Southwark, Surrey, cork manufacturer.—*John White*, Providence-place, Kentish-town, not in any business.

July 11 at 11, before the CHIEF COMMISSIONER.

John R. Wild, Stirling-terrace, Church-street, Camberwell, Surrey, lodging-house keeper.—*Chas. A. Monat*, Portsmouth, Hampshire, lieutenant in the 50th Queen's Own Regiment.—*Fred. Holder*, Arundel-st., Coventry-st., Haymarket, Middlesex, lieutenant in the British Army.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Herefordshire, at HEREFORD, July 6 at 11.

William Wood, Penroyd, out of business.

At the County Court of Devonshire, at EXETER, July 6 at 10.

Richard Morriah, Littleham, near Bideford, farmer.

At the County Court of Warwickshire, at COVENTRY, July 9.

David Davies, Madeley, Shropshire, grocer.—*Joseph Persons*, Birmingham, licensed victualler.

At the County Court of Warwickshire, at WARWICK, July 8.

Edus Green, Great-bridge, Staffordshire, out of business.—*George Spencer*, Emscote, St. Nicholas, out of business.

At the County Court of Dorsetshire, at DORCHESTER, July 11.

Jacob Wilkins, Wimborne Minster, dairyman.—*Mert Ligh*, Lydlinch, farmer.

At the County Court of Leicestershire, at LEICESTER, July 11.

Joseph Parker, Churchgate, Loughborough, attorney at law.

At the County Court of Worcestershire, at WORCESTER, July 10 at 10.

William Brown, All Saints', Worcester, out of business.—*Mary Ann Griffiths*, spinster, Kempsey, out of business.—*Harry Downing Guster*, Birmingham, mine agent.

At the County Court of Pembrokeshire, at HAVERFORDWEST, July 12.

Sebastian B. Hoogood, Saundersfoot, manager of the Pembrokeshire iron and coal works.

At the County Court of Warwickshire, at COVENTRY, July 9.

John Middleton, Birmingham, grocer.

At the County Court of Kent, at MAIDSTONE, July 9 at 12.

Thomas H. Thompson, Lovegrove-place East, Greenwich, Kent, civil engineer.—*James Day*, Luddesdown, near Gravesend, Kent, labourer.—*Frederick F. Cooper*, Gravesend, Kent, dramatic author.

Adjourned Case.

George Small the younger, Herne, bailiff.

Original.

Sarah Beckley, widow, Upper-road, Deptford, out of business.

FRIDAY, JUNE 28.

BANKRUPTS.

JOSEPH MOORE, Hanover-street, Islington, Middlesex, victualler, July 12 at 2, and Aug. 20 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Dimmock & Burbey, 2, Suffolk-lane, Cannon-st.; Hine & Robinson, 32, Charterhouse-square.—Petition filed June 25.

WILLIAM JONES, Bristol, stationer and bookbinder, dealer and chapman, July 10 and Aug. 7 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. W. & C. Bevan, Bristol.—Petition filed June 17.

GEORGE HOLMES and **HENRY HOLMES**, Derby, ironmongers and cutlers, dealers and chapmen, July 12 and Aug. 2 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Hodgson, Birmingham.—Petition dated June 18.

JOSEPH BOYCOT, Kidderminster, Worcestershire, draper, mercer, and hatter, dealer and chapman, July 9 and Aug. 6 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Tudor, Kidderminster.—Petition dated June 27.

MOSES WRANGLE, Boston, Lincolnshire, cabinet maker, dealer and chapman, July 12 and Aug. 2 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Hodgson, Birmingham; Messrs. Linklater, 1, Chancery-lane, London.—Petition dated June 1.

MEETINGS.

James Ogden, Reddish, Lancashire, cotton spinner, July 9 at 12, District Court of Bankruptcy, Manchester, pr. d.—*Richard Miller*, Princes-st., Spitalfields, Middlesex, oilman, July 18 at 12, Court of Bankruptcy, London, aud. ac.; July 19 at half-past 1, div.—*Richard Jellicoe*, Turnwheel-lane, Dowgate-hill, London, merchant, July 18 at 12, Court of Bankruptcy, London, aud. ac.; July 22 at 12, fin. div.—*Geo. Bernard*, Portsea, Hampshire, coal merchant, July 18 at half-past 12, Court of Bankruptcy, London, aud. ac.; July 19 at half-past 1, div.—*Edward J. Gill*, Gloucester, auctioneer, July 12 at 12, Court of Bankruptcy, London, aud. ac.—*Charles Penfold*, Arundel, Sussex, ironmonger, July 12 at 12, Court of Bankruptcy, London, aud. ac.—*Jabez Hunt*, Bath, Somersetshire, victualler, July 19 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*William Dixon*, Manchester, ironmonger, July 12 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Wm. Longbottom and Ralph Bentley*, Rochdale, Lancashire, wool merchants, July 18 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 19 at 12, div.—*Thomas Wright*, Derby, cheese factor, July 17 at 10, District Court of Bankruptcy, Nottingham, aud. ac.; July 19 at 10, fin. div.—*B. Jefferies*, Worcester, boat builder, July 23 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*H. V. Stroud*, Spettisbury, Dorsetshire, miller, July 24 at 11, District Court of Bankruptcy, Exeter, aud. ac.; July 25 at 1, div.—*James Keovil the younger*, Bristol, draper, July 31 at 11, District Court of Bankruptcy, Bristol, div.—*Robert Woolston*, Stamford, Lincolnshire, brickmaker, July 19 at 10, District Court of Bankruptcy, Nottingham, aud. ac. and fin. div.—*George Edward Inger*, Nottingham, druggist, July 19 at 10, District Court of Bankruptcy, Nottingham, aud. ac. and div.—*C. N. Cartwright*, Leicester, dresser and spinner, July 19 at 10, District Court of Bankruptcy, Nottingham, div.—*Wm. Stubbs*, Chappel Allerton, Yorkshire, innkeeper, July 23 at 11, District Court of Bankruptcy, Leeds, div.—*Edmund Jennings*, Horsforth, Yorkshire, corn miller, July 29 at 11, District Court of Bankruptcy, Leeds, div.—*Samuel Gibson*, York, licensed victualler, July 19 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

A. S. Corrick, Bristol, timber dealer, July 22 at 11, District Court of Bankruptcy, Bristol.—*Wm. Sharman*, Hulme, near Manchester, builder, July 19 at 12, District Court of Bankruptcy, Manchester.—*Jas. Webster*, Leicester, engineer, July 19 at 10, District Court of Bankruptcy, Nottingham.—*John Harrison*, Nottingham, draper, July 19 at 10, District Court of Bankruptcy, Nottingham.—*W. H. Ethell*, Birmingham, saddler, July 25 at 12, District Court of Bankruptcy, Birmingham.—*Wm. Mailes*, Woolhope, Herefordshire, bark merchant, July 25 at 12, District Court of Bankruptcy, Birmingham.—*Thomas Mees*, Brierley-hill, Staffordshire, boiler manufacturer, July 23 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Peter Thorn, Castle-street, Leicester-square, Middlesex, bottled ale merchant.—*Wm. Tomlinson*, Salford, Lancashire, victualler.—*Thos. Kent*, Great Brington, Northamptonshire, timber merchant.

SCOTCH SEQUESTRATIONS.

Davidson & Co., Galeshiels, manufacturers.—*Jas. Grant*, Landhallow, Latheronwheel, Caithness-shire, merchant.—*W. P. Grant, Esq.*, Rothiemurchies, banker.

PARTNERSHIPS DISSOLVED.

John A. Smith and Stephen Pilgrim, Hinckley, Leicester-shire, (under the firm or style of Smith & Pilgrim), attorneys, solicitors, and conveyancers.—*C. Few, R. Few, C. Few, jun.*, and *T. Wm. Duke*, Henrietta-street, Covent-garden, London, attorneys and solicitors.—*Bruges Fry and Henry A. S. Payne*, Ayrbridge, Somersetshire, attorneys-at-law and solicitors in Chancery.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Harry Amos, Welney, Isle of Ely, Cambridgehire,

saddler, July 16 at 10, County Court of Norfolk, at Downham Market.—*Stephen Parber*, Aston, near Birmingham, commission agent, July 13 at 11, County Court of Warwickshire, at Birmingham.—*Edward Lathbury*, Birmingham, coal merchant, July 13 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Allen*, Denver, Norfolk, cattle dealer, July 16 at 10, County Court of Norfolk, at Downham Market.—*Thomas Harding*, Birmingham, attorney, July 13 at 11, County Court of Warwickshire, at Birmingham.—*John Bydewell*, Cradley, Herefordshire, farmer, July 19 at 10, County Court of Herefordshire, at Bromyard.—*William Vernon Wall*, Claines, Worcestershire, writing clerk, July 22 at 9, County Court of Worcestershire, at Droitwich.—*E. Bowen*, Bishop's Castle, Shropshire, painter, July 17 at 12, County Court of Shropshire, at Bishop's Castle.—*Wm. Hartshorn*, Kempton, Clunbury, Shropshire, butcher, July 17 at 12, County Court of Shropshire, at Bishop's Castle.—*William Beckwith Jackson*, York, attorney's clerk, July 9 at 10, County Court of Yorkshire, at York.—*Thomas Luty*, Friar Walls, near King's Staith, York, railway porter, July 9 at 10, County Court of Yorkshire, at York.—*Thos. Goodrich*, York, out of business, July 9 at 10, County Court of Yorkshire, at York.—*William Walters*, Brynmawr, Brecknockshire, mason, July 5 at 10, County Court of Brecknockshire, at Crickhowell.—*John Sayce*, Clifford, Herefordshire, innkeeper, July 3 at 10, County Court of Brecknockshire, at Hay.—*William James, Ketley Sand*, Wellington, Shropshire, butcher, July 12 at 10, County Court of Shropshire, at Wellington.—*Charles Hyde*, Cleveford, Great Malvern, Worcestershire, beer-house keeper, July 12 at 10, County Court of Worcestershire, at Upton-upon-Severn.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 13 at 10, before Mr. Commissioner LAW.

Samuel Harding, Marlborough-road, Chelsea, Middlesex, not of any business.

July 13 at 11, before Mr. Commissioner PHILLIPS.

Wm. Hen. Quinton, Croydon, Surrey, gunmaker.—*David Beach*, Theydon Bois, Essex, gamekeeper.—*Isaac Riddall*, Uxbridge-moor, Uxbridge, Middlesex, sub-bailiff in the County Court of Uxbridge.

July 15 at 11, before Mr. Commissioner PHILLIPS.

Charles Butler, Laburnum-cottages, Showmurt-place, Norfolk-st., Rye-lane, Peckham, Surrey, foreman to a builder.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 12 at 11, before Mr. Commissioner HARRIS.

Wm. Christey, Bear-lane, Tower-street, London, lighterman and shipping agent.

Adjourned.

James Green, Seymour-place, Bryanstone-square, Middlesex, carpenter.

July 12 at 10, before Mr. Commissioner LAW.

Caleb Bases, Half Moon-st., Piccadilly, Middlesex, surgeon.—*George Wymark*, Swan-st., Dover-road, Surrey, out of business.

July 13 at 11, before Mr. Commissioner PHILLIPS.

Thomas Constable, Great Windmill-st., Haymarket, Middlesex, coffee-house keeper.

July 15 at 11, before the CHIEF COMMISSIONER.

Wm. Palmer, Cumberland-st., Hackney, Middlesex, out of business.—*Simon Plunkett Farrelly*, Southampton-street, Strand, Middlesex, agent to a brewer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Sussex, at LEWES, July 16.

Alfred Norman Hyland, Brighton, assistant to a butcher.

*At the County Court of Gloucestershire, at GLOUCESTER,
July 15 at 10.*

*Thomas Wilmot Easthope, Cheltenham, in no business.—
Theodore Sheldon Tearn, Cheltenham, surgeon.— John
Gyde, Cheltenham, out of business.*

*At the County Court of Staffordshire, at STAFFORD,
July 15 at 10.*

John Cheatham, Tipton, pattern maker.

**SOCIETY for PROMOTING the AMENDMENT of the
LAW.**—LORD BROUGHAM, by the desire of the Council,
will deliver an Address on Wednesday next, the 3rd July, at four o'clock
precisely, at the Society's Rooms, on "the Importance of the Possession
of Legal Knowledge by all Classes of the Community, and the Means of
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The Jurist

No. 704—VOL. XIV.

JULY 6, 1850.

PRICE 1s.

* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

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LONDON, JULY 6, 1850.

In resuming our summary of cases recently determined by the Court of Criminal Appeal, we next come to those which relate to the form of indictments.

1. *Venue*.]—The prisoner, in a begging letter, which contained false pretences, and was addressed to the prosecutor, who resided in Middlesex, requested him to put a letter, containing a post-office order for money, in a post-office in Middlesex, to be forwarded to the prisoner's address in Kent. The venue was held to be rightly laid in Middlesex, as the prisoner, by his request, constituted the postmaster in Middlesex his agent to receive the letter there for him; consequently there was a receipt of the money order by the prisoner within the county of Middlesex.

2. *Attempt to defraud*.]—An indictment, alleging that the prisoner did unlawfully attempt and endeavour fraudulently, falsely, and unlawfully to obtain from A. B. a sum of money, with intent thereby then and there to cheat and defraud the said A. B., was held bad in arrest of judgment. (*Reg. v. Marsh*, 19 L. J., M. C., 12). The Court appeared to assent to the arguments of counsel, that the act which the defendant was charged with having attempted to commit was not in itself a misdemeanour; that to constitute it a misdemeanour there must be some other ingredient than the obtaining of money with an intent to defraud; and that the obtaining must be by certain means—e. g. false pretences—which should be specified. The indictment was also defective in not stating in whom the property in the money was.

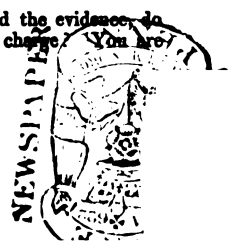
3. *Disposal of Bankrupt's Estate*.]—It was alleged, in an indictment against a bankrupt, that, at the time

of his examination under the fiat, he was possessed of real estate, and feloniously did not discover when he disposed of it, with intent to defraud his creditors. Judgment was arrested for the want of an averment that the prisoner had, in fact, disposed of the said estate.

4. *False Pretences*.]—An indictment stated that the prisoner unlawfully (not saying "knowingly") did falsely pretend that a certain printed paper was a good and valid promissory-note, and thereby obtained money, with intent to cheat and defraud, and then alleged it was not a good promissory-note. The false pretence was held to be sufficiently alleged; and the Court decided that it was not necessary to set out the terms of the printed paper in the indictment, as nothing turned upon the nature or character of the document. (*Reg. v. Coulson and Another*, 19 L. J., M. C., 182; and see *Reg. v. Bowen*, 13 Jur., part 1, p. 1045).

We next come to the decisions relating to evidence; and, first, to the important judgments lately delivered upon the admissibility of a prisoner's statement under the late act, 11 & 12 Vict. c. 42, s. 18. It is now decided that the second caution (that the prisoner has nothing to hope from any promise of favour, and nothing to fear from any threat, to induce him to make any admission &c.) is only necessary where some previous inducement or threat has been held out. (*Reg. v. Sansome*, 14 Jur., part 1, p. 466; 19 L. J., M. C., 143; *Reg. v. Bond*, 14 Jur., part 1, p. 399; 19 L. J., M. C., 138). If the statement be returned purporting to be signed by the magistrate, and bearing on the face of it the first caution*, it is admissible without any other

* Namely, these words—"Having heard the evidence, do you wish to say anything in answer to the charge?"



evidence. (Ib.) This had been doubted by Alderson, B., in *Reg. v. Higson*, (2 Car. & K. 769).

The stat. 11 & 12 Vict. c. 47, s. 17, requires the depositions to be taken in the presence of the accused person. In a late case it appeared that the witnesses had been examined, and minutes taken down and delivered to a clerk in the office of the magistrates' clerk; that the witnesses attended there, and while the depositions were being written out from the minutes, and in the absence of the prisoner, the clerk asked them questions, for the purpose of rendering the depositions more clear, and inserted the answers in the depositions. The depositions so written were afterwards read to the witnesses in the presence of the prisoner, who had full opportunity of cross-examining them before the witnesses signed the depositions. The answers of the witnesses to the clerk were decided to be admissible without the production of the depositions, although, according to the evidence, they would appear upon the depositions. (*Reg. v. Christopher*, 14 Jur., part 1, p. 203). This appears to have been upon the ground that the paper written by the clerk was not primary evidence; he was a volunteer, and what he took down had no legal character, so as to make it exclusively evidence of what took place on the occasion. (See per Wilde, C.J., Ib.; see also *Jeans v. Wheeldon*, 2 Moo. & R. 486, and the note to p. 487).

The case of *Reg. v. Bond* (supra) is a decision illustrative of the extreme strictness required in criminal proof, and decides, that, on an indictment for stealing money, it is not enough for the jury to find that the prisoner has stolen the sum mentioned, but they must be satisfied that he stole some particular one or more of the coins specified in the indictment. Erle, J., dissented from this decision; and it seems desirable that the Legislature should place larceny on the same footing as embezzlement in this respect.

Connected with the practice in criminal cases, it has long been an unsettled question, whether judgment on demurrer in felonies be final, or merely a judgment of respondent ouster. The older authorities tend to shew that it is final, but by some it is said, that, in favorem vite, the prisoner shall plead over to the felony.

In the recent case of *Reg. v. Duffy*, (4 Cox's C. C. 24), in Ireland, it was held, after an elaborate argument, that the judgment on demurrer in felonies not capital is, that the prisoner plead over; (and see *Reg. v. Smith*, Id. 42); but in the case of *Reg. v. Faiderman and Others*, (14 Jur., part 1, p. 377), where the prisoners were indicted for forgery, the presiding judges at the Old Bailey Sessions, which were held after the argument of the case in the Court of Criminal Appeal, decided that the judgment was final.

MASTER IN CHANCERY.—The Lords Commissioners for the custody of the Great Seal have appointed Henry Wycliffe Goodwin, Gent., of King's Lynn, Norfolk, to be a Master Extraordinary in the High Court of Chancery.

not obliged to say anything unless you desire to do so; but whatever you say will be taken down in writing, and may be given in evidence against you upon your trial."

Reprints.

The House of Lords as a Court of Appeal. London: 1850. [Stevens & Norton.]

This is a reprint of some portions of a work published by Mr. Purton Cooper more than twenty years ago. Its object and contents are best explained by the author's introductory letter to Lord John Russell, in which he says—

"The 'Assumption by the House of Lords of the Appellate Jurisdiction over our Courts of Equity, in the Reign of Charles II., a Violation of the Constitution,' is a chapter of that book. There are other chapters relating to the subject of this pamphlet, but they are too long to form part of it. The translation of five of the 'Lettres sur la Cour de la Chancellerie et quelques Points de la Jurisprudence Anglaise' is appended to the same work. These letters represent the House of Lords as a Court of Appeal in the state in which it was in Lord Eldon's time. Now, it is thought that no material change has since taken place, and it has occurred to some persons zealous for the improvement of our judicial institutions that a reprint of that translation, with the above-mentioned chapter prefixed, may be convenient and useful to those members of the Legislature who are desirous of information upon this important matter; and such being the motive for the reprint, you will, I am sure, pardon the liberty taken in inscribing it to your Lordship."

The text is followed by an appendix, consisting of extracts from all the debates that have taken place in Parliament on the subject of reform in Chancery since 1828, commencing with that which took place on Michael Angelo Taylor's motion in February, 1828. Those who have at heart the separation of the judicial from the political functions of the Chancellor, will find in the pages of this pamphlet much that bears upon the subject, although that is not its specific object.

The following passage we extract as shewing the writer's views:—

"It appears, from the former part of this work, that some objections have been brought forward against any project that may diminish the quantity of the Chancellor's original business, independently of those I have noticed in the text.

"It has been said, that, if such a scheme be carried into effect, the office of Chancellor will soon become political, instead of judicial—the reward of political intrigue and connexion, and not of legal eminence. But it may be asked, at what period of our history has the Chancellor been selected for the abilities he has evinced as a counsel in any court of Westminster Hall, unless they were of a kind to dazzle in a public assembly of a far different description? It is notorious, that nothing less has been thought of than the choice of the man who was most versed in the laws of his country, far less of him who had the most intimate knowledge of that part of our system of jurisprudence known under the name of equity. [It must be recollected that this was written in the beginning of the year 1828.] And, in despite of my prejudices as a lawyer, when I reflect on the preponderating weight and importance of the Chancellor's public duties, which partake more of the political than judicial character, I cannot avoid entertaining an opinion that the Sovereign has been generally well advised in elevating to the giddy height of the Chancellorship an individual whose accomplishments and talents fitted him to shine rather in the senate than at the bar. The taking of the Chancellor from the Court of Chancery, together with the creation of a permanent Court of Appeal in the place of the House of Lords, as suggested in the Chancery Letters, would, in my apprehension, entirely"

'move the insurmountable objection at present existing to the appointment of a common-law advocate to that high office. Everybody knows it is a farce and a mockery for a judge, with even Lord Lyndhurst's quickness and talents, to sit in appeal on the decree of a Grant or a Leach, and reverse the decisions of an Eldon.

"It has also been objected, that, if the Chancellor's original jurisdiction be taken from him, he will be withdrawn from his court, and will no longer have an opportunity of becoming acquainted with the individual merits of advocates, and exercising his patronage in the manner most advantageous to the public, by appointing to situations in the law men of the greatest aptitude. One cannot, to be sure, sufficiently admire the self-possession of those who, when they urged this topic, were able to preserve their gravity, as if it were not notorious, that for years past the fitness of the individual to fulfil the duties of the office to which he was appointed was not one of the last things that decided the choice of the Chancellor, or those who have had the control of his patronage. It reflects no great credit on the discernment of those who have held the Great Seal, that the persons who are supposed to have owed their elevation solely to the Chancellor, have been, in general, infinitely more incompetent than those whose advancement is said to have been occasioned by political connexion and influence. [Again it must be recollected, that this was written in the beginning of the year 1828.]

"Some persons think, that when the business of the Court of Chancery shall be subtracted from the Chancellor's other occupations, he will be left without sufficient employment. But, I apprehend, those persons form their judgment upon a very erroneous conception of the multifarious duties attaching themselves to the Keeper of the Great Seal. It should be recollected, that, during the sitting of the House of Lords, the Chancellor's time must be fully occupied with his parliamentary duties. The numerous claims to peerages, claims to vote on elections of peers for Ireland and Scotland, divorce and other private bills, besides the other general business of the session, afford an ample field for his labours. When Parliament does not sit, the ordinary business of the Chancellor, if duly attended to, cannot be less than that of most of the other cabinet ministers. He is required to advise his Majesty on almost all great and important questions, whether they concern our domestic affairs or our relations with foreign powers. Few days can elapse, in a country like this, that it does not become necessary for the Crown to consult its first law officer; to say nothing of the inordinate portion of the Chancellor's time that within the last half century has been consumed by state trials, and the proceedings attending them. The Chancellor has the superintendence of all charitable uses. He is visitor, in right of his Majesty, of all colleges and hospitals of royal foundation. He is the guardian of all lunatics, idiots, and infants. The exercise of his ecclesiastical patronage does, or ought, at times, to engage no small part of his attention. He has jurisdiction to remove coroners for misconduct. He grants and repeals patents and charters, grants writs of supplicavit, &c. In fine, it would require more space than can be allotted to this note merely to enumerate the judicial or ministerial duties of the Chancellor, which are extrinsic to the ordinary business of the Court of Chancery; and all of which, as our books of reports shew, occasionally occupy considerable time. Besides these numerous and discordant duties, (some of which it would be advisable to detach from the Great Seal), it must be recollected that in this country there is no standing commission appointed to superintend our system of jurisprudence, and that that care is the peculiar province of the

'Chancellor, and is alone too extensive for any individual.'

MASTERS' REGULATIONS.

The following resolutions have been come to by the Masters, under the General Orders of the 3rd June:—

1. That all matters which are to be heard by the Masters shall be entered by the Master's clerk in one or more list or lists, in regular order, except such matters, if any, as the Master shall direct to be taken at particular times; and the Master shall proceed to hear and dispose of the matters in such list or lists in the order in which they stand therein; but this is to be subject to the directions contained in the 5th of the above-mentioned Orders.

2. If any proceeding before the Masters, in any cause or matter in any list, fails by reason of the non-attendance of any party when the same shall be called on in its turn, (from whatever cause such non-attendance may arise), and the Master does not think it expedient to proceed ex parte, the cause or matter shall be peremptorily struck out of the list, and shall on no account whatever be heard or entertained by the Master until the same be again set down in the list in regular course, by taking out a fresh warrant for that purpose.

3. That the above-written regulations shall not alter the existing practice by warrants, with respect to matters to be attended before the Master's chief clerk.

These regulations to come into operation from and after the 1st July, 1850.

The Master has directed, that, from and after the 1st July, all matters, for which warrants are taken out for hearing before him, shall be set down, in order of dates of the warrants, in one of two lists, to be called respectively "The General List" and "The Short List."

In the Short List are to be set down all matters which may be properly considered as coming within the description of short matters, such as warrants to consider decrees or orders, unopposed creditors' claims, unopposed settlement of common interrogatories, unopposed proposal for leases, repairs, &c., unopposed appointment of receivers, guardians, new trustees, &c.; also applications under the 3 & 4 Will. 4, c. 94, s. 13, which are to be placed at the head of the list.

The General List is to contain all matters not proper to be set down in the Short List. The Master will hear the matters set down in the Short List from eleven to twelve on any day excepting Saturday; and from twelve to the end of the sitting, unless he shall otherwise appoint, will hear matters in the General List, according to the order in which they are set down. In case any matter set down in the Short List shall appear to the Master as not properly coming within the description of a short matter, the same will be transferred to the General List, and placed after all matters already set down in such list, unless the Master shall, upon good cause shewn to him, otherwise specially direct.

London Gazette.

TUESDAY, JULY 2.

BANKRUPTS.

JOHN BULL, late of Totton, Eling, Hampshire, coal merchant, brewer, and wharfinger, but now of South Audley-st., Middlesex, shipowner, dealer and chapman, July 12 at half-past 1, and Aug. 20 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Browne, 3, Lawrence Pountney-hill.—Petition filed June 27.

EDWARD BEVAN THOMAS, Leominster, Herefordshire, wine and spirit merchant, dealer and chapman, July 11 and Aug. 8 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. James, Leominster; Motteram & Co., Birmingham.—Petition dated June 20.

THOMAS EDWARDS, Newport, Monmouthshire, iron-founder, dealer and chapman, July 16 and Aug. 15 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Brittan & Sons, Bristol.—Petition filed June 17.

JAMES CORBETT, New Mills, Llantilio Pertholey, Monmouthshire, miller, July 13 and Aug. 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Jones, Worcester; W. & C. Bevan, Bristol.—Petition filed June 17.

SAMUEL LAVINGTON, Devizes, Wiltshire, grocer and tea dealer, dealer and chapman, July 15 and Aug. 14 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Wall & Wittey, Devizes; W. & C. Bevan, Bristol.—Petition filed June 14.

THOMAS LUCKES, Exeter, provision dealer, July 9 and Aug. 7 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sol. Fryer, St. Thomas the Apostle, Exeter.—Petition filed July 1.

WILLIAM RIDLER, Cowlersley, Linthwaite, Almondbury, Yorkshire, contractor for public works, builder, dealer and chapman, July 16 and Aug. 5 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Sykes, Milnes-bridge and Kirkburton; Courtenay, Leeds.—Petition dated June 28.

JOSEPH LOMAS, Manchester, Manchester warehouseman, dealer and chapman, July 18 and Aug. 9 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Atkinson & Co., Manchester.—Petition filed June 24.

CLEMENT NUTTALL, Bacup, Lancashire, innkeeper, dealer and chapman, July 16 and Aug. 6 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Lord, Rochdale, Lancashire.—Petition filed June 24.

MEETINGS.

Wm. Threlfall, Addingham, Yorkshire, cotton spinner, July 23 at 11, District Court of Bankruptcy, Leeds, pr. d.—*John Jordan*, Birmingham, surgeon, July 15 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Brindley*, Coventry, Warwickshire, laceman, July 15 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Burbury*, Leek Wootton, Warwickshire, maltster, July 15 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Clarke*, Stourbridge, Worcestershire, grocer, July 27 at half-past 12, District Court of Bankruptcy, Birmingham, aud. ac.; July 29 at 10, div.—*Robert Raby*, Preston, Lancashire, hatter, July 25 at 11, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Alaric Alex. Watts, Berners-street, Middlesex, printer, July 25 at 11, Court of Bankruptcy, London.—*John Hawley*, Liverpool, confectioner, July 25 at 11, District Court of Bankruptcy, Liverpool.—*James Hurry*, Liverpool, wine merchant, July 25 at 11, District Court of Bankruptcy, Liverpool.—*William Hulme*, Manchester, tailor, July 25 at 12, District Court of Bankruptcy, Manchester.—*James Mellor*, Manchester, haberdasher, July 25 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

George Francis, Rayleigh, Essex, out of business.—*James Bird*, Cwmavon, Glamorganshire, grocer.—*William Gordon*, Gloucester, dealer in Berlin wools.—*Chas. J. Carttar*, Greenwich, Kent, solicitor.—*Eliz. Hart* and *Martin Hart*, Northwich, Cheshire, drapers.—*John Ellison*, Selby, Yorkshire, linen draper.—*Joseph R. Simpson*, Sheffield, Yorkshire, spring knife manufacturer.—*John Brearley*, Sowerby-bridge, near Halifax, Yorkshire, timber merchant.

SCOTCH SEQUESTRATIONS.

Robt. Curle, Glasgow, auctioneer.—*John Ingram*, Macduff, mason.—*Wm. Grant*, Kilmoran, Argyleshire, cattle dealer.—*James Reid*, Aberdeen, Wright.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Sheppard, Liverpool, music master, July 8 at 10, County Court of Lancashire, at Liverpool.—*Fras. W. Ellis*, Liverpool, butcher, July 8 at 10, County Court of Lancashire, at Liverpool.—*Robert Walls*, Liverpool, tin-plate worker, July 8 at 10, County Court of Lancashire, at Liverpool.—*C. Williams*, Liverpool, baker, July 8 at 10, County Court of Lancashire, at Liverpool.—*Thos. Croston, jun.*, Bootle-cum-Linacre, Walton-on-the-Hill, Lancashire, painter, July 8 at 10, County Court of Lancashire, at Liverpool.—*R. Aldersey*, Liverpool, out of business, July 8 at 10, County Court of Lancashire, at Liverpool.—*Patrick M'Parlin*, Liverpool, out of business, July 8 at 10, County Court of Lancashire, at Liverpool.—*John M. Gishy*, Liverpool, out of business, July 8 at 10, County Court of Lancashire, at Liverpool.—*Joseph Symons*, Plymouth, Devonshire, carpenter, Aug. 15 at 11, County Court of Devonshire, at Plymouth.—*Susannah Berry*, Rochester, Kent, bookseller, July 11 at 10, County Court of Kent, at Rochester.—*Thomas Davies*, Shrewsbury, Shropshire, farmer, July 16 at 10, County Court of Shropshire, at Shrewsbury.—*Francis Pritchard*, Shrewsbury, Shropshire, labourer, July 16 at 10, County Court of Shropshire, at Shrewsbury.—*Humphry Webb*, Stourport, Kidderminster, Worcestershire, accountant, July 17 at 9, County Court of Worcestershire, at Kidderminster.—*William Deakin*, Pontesbury, Shropshire, farmer, July 16 at 10, County Court of Shropshire, at Shrewsbury.—*James Lowe*, July 11 at 10, County Court of Shropshire, at Bridgnorth.—*J. H. Bellair*, Harrington, Cumberland, lieutenant on half-pay in her Majesty's Royal Navy, July 29 at 11, County Court of Cumberland, at Whitehaven.—*Wm. Edw. Painter*, Westbury-upon-Trym, Gloucestershire, butcher, July 31 at 11, County Court of Gloucestershire, at Bristol.—*Robt. Green*, Stapleton, Gloucestershire, watchmaker, Aug. 5 at 11, County Court of Gloucestershire, at Bristol.—*William Moore*, Bristol, copperplate printer, July 31 at 11, County Court of Gloucestershire, at Bristol.—*Robson Heppell*, Carville, Wallsend, Northumberland, licensed victualler, July 18 at half-past 10, County Court of Northumberland, at North Shields.—*Wm. Paston*, Newcastle-upon-Tyne, painter, July 17 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Wm. Newman*, Cambridge, brewer, July 8 at 10, County Court of Cambridgeshire, at Cambridge.—*Thomas Osborne*, Truro, Cornwall, eating-house keeper, July 5 at 11, County Court of Cornwall, at Truro.—*James Osborn*, Truro, Cornwall, farmer, July 5 at 11, County Court of Cornwall, at Truro.—*Charles Horley*, Manchester, beerseller, July 12 at 1, County Court of Lancashire, at Manchester.—*Thomas Pattinson*, Liverpool, attorney at law, July 12 at 10, County Court of Cheshire, at Birkenhead.—*Samuel Rodgers*, Walsall, Staffordshire, out of business, July 17 at 12, County Court of Staffordshire, at Walsall.—*John Smith*, Walsall, Staffordshire, pavior, July 17 at 12, County Court of Staffordshire, at Walsall.—*Francis Cochrane*, Newcastle-upon-Tyne, auctioneer, July 17 at 10, County Court of Northumberland, at Newcastle.—*John Butler*, Wednesbury, Staffordshire, out of business, July 13 at 12, County Court of Staffordshire, at Oldbury.—*Joe Matthews*, Newcastle-upon-Tyne, domestic servant, July 17 at 10, County Court of Northumberland, at Newcastle.—*Michael Richardson*, Newcastle-upon-Tyne, horse dealer, July 17 at 10, County Court of Northumberland, at Newcastle.—*John Coupland*, Newcastle-upon-Tyne, licensed victualler, July 17 at 10, County Court of Northumberland, at Newcastle.—*James Belsten*, Bristol, wheelwright, July 24 at 11, County Court of Gloucestershire, at Bristol.—*Richard Tedstone*, Dorington, Condover, Shropshire, shoemaker, July 16 at 10, County Court of Shropshire, at Shrewsbury.—*James George*, Llanwnen, Cardiganshire, maltster, August 17 at 11, County Court of Cardiganshire, at Lampeter.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 16 at 11, before Mr. Commissioner HARRIS.

James Ashby, Thetford, Dearham-wells, Burnham-market,

and Lynn, Norfolk, bazaar-keeper.—*Edward Frederick Cloke*, Arbour-terrace, Commercial-road, Middlesex, coal meter.—*James Mitchell*, Church-street, Greenwich, Kent, hoiser.—*William Frederick Ogilvy*, Whistler's-court, Cannon-street, City.

July 17 at 11, before the CHIEF COMMISSIONER.

Thomas Reed, Marshall-street, Golden-square, Middlesex, lodging-house keeper.—*William Sinnott* the younger, Westminster-bridge-road, Lambeth, Surrey, foreman to a contractor.—*George Levy*, Gray's-inn-lane, Middlesex, agent to a loan-office.—*James Ellis*, Guildford-street, Clerkenwell, Middlesex, surgeon.

July 17 at 10, before Mr. Commissioner LAW.

Charles Allen, Caneel-street, Walworth, Surrey, half-pay officer of the North Yorkshire Militia.—*Samuel Pritchett*, Great Leonard-street, Shoreditch, Middlesex, dealer in marine toys.—*Thomas James Ansell*, Belle Vue-cottages, Camden-street, Camden-town, Middlesex, gardener.—*William Lee*, Old Fish-street, City, bell-hanger.

Saturday, June 29.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Owen Bowen, Penydarren, Merthyr Tydvil, Glamorgan-shire, grocer, No. 72, 208 C.; *Rees Jones* and *David Davies*, assignees.—*James Raskbrook*, Rochester, Kent, plumber, No. 1, 817 C.; *George James Johnson*, assignee.

Saturday, June 29.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas Beesley, Rosberry-place, Forrest-road, Dalston, Middlesex, accountant: in the Debtors Prison for London and Middlesex.—*William Coates*, Albany-road, Old Kent-road, Surrey, clerk to a newspaper proprietor: in the Debtors Prison for London and Middlesex.—*George Heywood*, Upper Seymour-street West, Connaught-square, Middlesex, valuer: in the Debtors Prison for London and Middlesex.—*Thomas Munday*, Villiers-street, Strand, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*John Smith*, Foley-place, Portland-place, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Thomas Rutter*, Lillington-street, Vauxhall-bridge-road, Middlesex, plasterer: in the Debtors Prison for London and Middlesex.—*John Prest*, New-street, Bishopsgate-street, London, cabinet-maker: in the Debtors Prison for London and Middlesex.—*James Miller*, Florence-terrace, Grange-road, Bermondsey, Surrey, and Philpot-lane, London, drug broker: in the Debtors Prison for London and Middlesex.—*Thomas Saphin*, Upton-road, Downham-road, Kingsland, Middlesex, watchmaker: in the Debtors Prison for London and Middlesex.—*Henry Cates*, High-street, Bow, Middlesex, carman: in the Debtors Prison for London and Middlesex.—*Francis Gostling Allen*, Cheapside, London, eating-house keeper: in the Debtors Prison for London and Middlesex.—*Henry Slim*, Caroline-place, Trevor-square, Knightsbridge, Middlesex, milkman: in the Debtors Prison for London and Middlesex.—*John Isaac Edwin*, Hollywood-lodge, New Brompton, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*James Gibbons*, Three Colt-street, Limehouse, Middlesex, cooper: in the Debtors Prison for London and Middlesex.—*William Henry Hobbs*, Great Hermitage-street, Vapping, Middlesex, lighterman: in the Debtors Prison for London and Middlesex.—*John Smith*, Maria-place, Cold Harbour-lane, Camberwell, Surrey, licensed victualler: in the Gaol of Surrey.

(On Creditor's Petition).

Benjamin B. Jones, Albert-terrace, Harrow-road, Middlesex, attorney-at-law: in the Queen's Prison.

(On their own Petitions).

Henry Crook, Birmingham, ropemaker: in the Gaol of Coventry.—*John Shaw*, Saddleworth, Yorkshire, grocer: in the Gaol of York.—*John Davies*, Tynewydd, Alltynap, Llanilwch, Carmarthenshire, labourer: in the Gaol of Carmarthen.—*Alfred N. Hyland*, Brighton, Sussex, assistant to a butcher: in the Gaol of Lewes.—*Thomas Mathias*, Prens-gast, Haverfordwest, licensed victualler: in the Gaol of Haverfordwest.—*Peter Crowe*, Thorndon, Suffolk, out of business: in the Gaol of Ipswich.—*William England*, Leeds,

Yorkshire, butcher: in the Gaol of York.—*William Kay*, Pendlebury, near Manchester, blacksmith: in the Gaol of Lancaster.—*Hannah Sugden*, Tong, near Bradford, Yorkshire, lodging-house keeper: in the Gaol of York.—*John Valentine Woolfitt*, Lincoln, pensioner: in the Gaol of Lincoln.—*E. J. Jeffray*, Tintagell, Cornwall, adventurer in slate quarries: in the Gaol of Bodmin.—*Matthew Robson*, Newcastle-upon-Tyne, innkeeper: in the Gaol of Newcastle-upon-Tyne.—*Thomas Ash*, Chudleigh, Devonshire, carpenter: in the Gaol of St. Thomas the Apostle.—*Louis Von Carnevalli*, Great Grimsby, Lincolnshire, commission agent: in the Gaol of Lincoln.—*George Merriman*, Penechbeck, near Spalding, Lincolnshire, baker: in the Gaol of Lincoln.—*Nathaniel Bryan*, Goosepen, near Ashby-de-la-Zouch, Leicestershire, out of business: in the Gaol of Leicester.—*Wm. Bradley*, Corby, Lincolnshire, saddler: in the Gaol of Lincoln.—*Henry Dean*, Manchester, fish dealer: in the Gaol of Lancaster.—*Robert Fowler*, Lemley, Wiltshire, stonemason: in the Gaol of Fisherton Anger.—*Jeremiah Hardmeat*, Spalding, Lincolnshire, in no business: in the Gaol of Lincoln.—*J. Midgley*, Bardsey-mill, near Wetherby, Yorkshire, farmer: in the Gaol of York.—*Elizabeth Pearson*, Knaresborough, Yorkshire, licensed victualler: in the Gaol of Knaresborough.—*Thomas H. Sammond*, Liverpool, house agent: in the Gaol of Lancaster.—*Jos. Aplin*, Wadsbury-farm, Stockland, Devonshire, yeoman: in the Gaol of St. Thomas the Apostle.—*Joseph Thompson*, Barkston Ash, near Tadcaster, Yorkshire, farmer: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 17 at 10, before Mr. Commissioner LAW.

James Dickinson, Foley-place, Great Portland-st., Middlesex, commission agent.

July 18 at 11, before the CHIEF COMMISSIONER.

Joseph H. Kimberley, Harley-mews, North Harley-street, Cavendish-square, Middlesex, grocer.

July 18 at 10, before Mr. Commissioner LAW.

Thomas Halstead, Pleasant-place, Kingsland-road, Middlesex, sailmaker.—*Edward F. Gendall*, Princes-street, Great George-st., Westminster, Middlesex, civil engineer.

July 18 at 11, before Mr. Commissioner PHILLIPS.

Eleanor Brown, Dawley-house, Hayes, near Uxbridge, Middlesex, out of business.—*Henry Wheatley Erlam*, New Basinghall-st., City, proprietor of baths.—*George L. Millard* the younger, Arundel-st., Strand, Middlesex, medical student.—*George Gray*, Brox, near Chertsey, Surrey, nurseryman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, July 17 at 10.

Matthew Robson, Newcastle-upon-Tyne, innkeeper.—*John Orton*, Newcastle-upon-Tyne, general warehouseman.

FRIDAY, JULY 5.

BANKRUPTS.

JOSEPH NASH and THOMAS NEALE, Reigate and Dorking, Surrey, bankers, July 22 and Aug. 6 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Kelly, 1, Inner Temple-lane.—Petition dated June 24.

GEORGE FULLER, Poultry, London, and Queen's Prison, Surrey, auctioneer, dealer and chapman, July 16 at 11, and Aug. 14 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Madox & Wyatt, 30, Clement's-lane, Lombard-street.—Petition dated June 25.

JOHN RYAN, Mark-lane, London, and Manor-lane, Bermondsey, Surrey, manufacturing chemist, dealer and chapman, July 18 at half-past 12, and Aug. 15 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Garry, Bassishaw-chambers, Basinghall-street.—Petition dated July 2.

SARAH DAY, Coventry, ribbon manufacturer, July 15 at 10, and Aug. 10 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Hall, Coventry; Powell, Birmingham.—Petition dated July 2.

JOSEPH BOYCOT, Kidderminster, Worcestershire, draper, mercer, and hatter, dealer and chapman, July 9 and Aug. 6 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore, (and not *Christie*, as advertised in the Gazette of Friday last); Sol. Tudor, Kidderminster.—Petition dated June 27.

THOMAS BROADBENT, Halifax, Yorkshire, draper, dealer and chapman, (trading under the style or firm of Broadbent & Co.), July 25 and Aug. 22 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. J. & J. W. H. Richardson, Leeds; Sale & Co., Manchester.—Petition dated and filed June 24.

ROBERT HARDMAN PARKINSON, Manchester, warehouseman, dealer and chapman, (trading under the style or firm of Robert H. Parkinson & Co.), July 22 and Aug. 19 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Sale & Co., Manchester.—Petition filed July 1.

JAMES THOMPSON, Manchester, cement and gunpowder dealer, dealer and chapman, July 16 and Aug. 6 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Blair, Manchester.—Petition filed June 22.

METINGS.

Henry Spiller, St. John's-wood-terrace, St. John's-wood, St. Marylebone, Middlesex, alster, July 15 at 11, Court of Bankruptcy, London, and. ac.—*George Sturt*, Creed's-place, Greenwich, Kent, out of business, July 15 at 12, Court of Bankruptcy, London, and. ac.—*John Bedford*, Bath, Somersetshire, music seller, July 18 at 12, District Court of Bankruptcy, Bristol, and. ac.—*H. Hailes Dancocks*, Stone-house, Kempley, and Great Netherton, Dymock, Gloucestershire, coal dealer, July 18 at 11, District Court of Bankruptcy, Bristol, and. ac.—*John Holden*, Liverpool, money scrivener, July 15 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Henry Paris*, Liverpool, grocer, July 15 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Geo. Rennie*, Liverpool, merchant, July 18 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*John Worsley*, Cottage-street Mill and Peel-hall Mill, Preston, Lancashire, cotton spinner, July 19 at 12, District Court of Bankruptcy, Manchester, and. ac.; July 26 at 12, div.—*Robert Raby*, Preston, Lancashire, hatter, July 19 at 11, District Court of Bankruptcy, Manchester, and. ac.—*James Newton*, Ashton-under-Lyne, Lancashire, innkeeper, July 25 at 11, District Court of Bankruptcy, Manchester, and. ac.; July 26 at 11, div.—*John Smith* and *William Darbyshire*, Manchester and Egerton-within-Turton, Lancashire, dyers, July 18 at 12, District Court of Bankruptcy, Manchester, and. ac.; July 26 at 11, fin. div. sep. est. of *William Darbyshire*; at 12, div. joint est.—*David H. Beresford*, Stockport, Cheshire, linendraper, July 19 at 11, District Court of Bankruptcy, Manchester, and. ac.; July 26 at 11, div.—*William Hague*, Manchester, smallware dealer, July 17 at 12, District Court of Bankruptcy, Manchester, and. ac.; July 29 at 12, div.—*Robert Knight*, Lancaster, tea dealer, July 16 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Samuel Gibson*, York, licensed victualler, July 18 at 11, District Court of Bankruptcy, Leeds, and. ac.—*John Jackson*, Clifford, Herefordshire, farmer, July 17 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Wm. Star*, Lynn, Norfolk, carrier, July 27 at 12, Court of Bankruptcy, London, div.—*William Roberts*, Burnham, Buckinghamshire, apothecary, July 27 at half-past 12, Court of Bankruptcy, London, div.—*William Gooch*, Bath-street, Clerkenwell, Middlesex, grocer, July 24 at 11, Court of Bankruptcy, London, div.—*Charlotte Cooper*, Northampton, dealer in Berlin wools, July 24 at half-past 11, Court of Bankruptcy, London, div.—*Wm. Perkins*, Uttoxeter, Staffordshire, timber merchant, July 29 at 10, District Court of Bankruptcy, Birmingham, and. ac.; at 11, div.—*Thomas P. Collins*, Bristol, tailor, July 31 at 12, District Court of Bankruptcy, Bristol, div.—*George Wilson*, Wakefield, Yorkshire, draper, July 26 at 11, District Court of Bankruptcy, Leeds, div.—*H. Hardy*, Bradford, Yorkshire, tea dealer, July 26 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Edward Hoile and *Joseph Worsfor*, Battersen, Surrey, manufacturing chemists, July 26 at 11, Court of Bankruptcy, London.—*Davies Evans* and *David M. Evans*, Wrexham,

Denbighshire, drapers, July 26 at 11, District Court of Bankruptcy, Liverpool.—*Richard Keitley*, Cheltenham, Gloucestershire, builder, July 31 at 12, District Court of Bankruptcy, Bristol.—*William Hague*, Shrodschill, Manchester, smallware dealer, July 29 at 12, District Court of Bankruptcy, Manchester.—*Thos. Gardner*, Holt, Worcestershire, hotel keeper, July 29 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Alexander Rainy, Regent-st., Piccadilly, Middlesex, estate agent.—*Geo. Barras*, Newcastle-upon-Tyne, wine merchant.—*Cornelius Robertson*, Masbro', Rotherham, Yorkshire, steel manufacturer.

SCOTCH SEQUESTRATIONS.

William Dickson & Co., Glasgow, wine agents.—*Francis Dick*, Dundee, tinsmith.—*Alex. G. Gilbert*, Glasgow, iron merchant.—*Walter Gilchrist*, Leith, doctor of medicine.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Grimsdell, Great Missenden, Buckinghamshire, out of business, July 19 at 11, County Court of Buckinghamshire, at Chesham.—*John Clarke*, Tipton Lower-green, Tipton, Staffordshire, retail brewer, July 12 at 3, County Court of Worcestershire, at Dudley.—*George Francis*, Reading, Berkshire, surveyor, July 22 at half-past 11, County Court of Berkshire, at Reading.—*John Nason*, Woolpit, Suffolk, grocer, July 22 at 10, County Court of Suffolk, at Stowmarket.—*Mark Debell*, Folkestone, Kent, cabinet maker, July 29 at 10, County Court of Kent, at Folkestone.—*John Browne*, Walsot, Bath, printer, July 27 at 11, County Court of Somersetshire, at Bath.—*Thomas Urwick*, Dudley, Worcestershire, assistant to a grocer, July 12 at 3, County Court of Worcestershire, at Dudley.—*George Sturdy*, Helmsley, Yorkshire, ironmonger, July 18 at 14, County Court of Yorkshire, at Helmsley.—*William Dore*, Newport, Isle of Wight, Hampshire, grocer, July 29 at 10, County Court of Hampshire, at Newport.—*Henry Pope*, Newport, Isle of Wight, Hampshire, dyer, July 29 at 10, County Court of Hampshire, at Newport.—*William Brown*, North Lyham, Chatton, Northumberland, out of business, July 24 at 11, County Court of Northumberland, at Wooler.—*Samuel Coleman*, Aberystwyth, Trevein, Monmouthshire, grocer, July 23 at 10, County Court of Monmouthshire, at Pontypool.—*William Walker* the younger, Ubley, Somersetshire, farmer, July 27 at 12, County Court of Somersetshire, at Clutton.—*James Henderson*, Pontypool, Monmouthshire, straw-hat manufacturer, July 23 at 10, County Court of Monmouthshire, at Pontypool.—*William Carter*, Bristol, butcher, July 17 at 11, County Court of Gloucestershire, at Bristol.—*John Thwaites*, Carlisle, Cumberland, watchmaker, July 30 at 10, County Court of Cumberland, at Carlisle.—*William Curtis*, Frampton Mansel, Sapperton, Gloucestershire, baker, July 18 at 11, County Court of Gloucestershire, at Cirencester.—*Fanny Fiddes*, Beccles, Suffolk, dealer in glass, July 23 at 1, County Court of Suffolk, at Beccles.—*Alfred Thomas Bayly*, St. Alban's, Hertfordshire, newspaper agent, July 31 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Thomas Lowsey*, Sawbridge-worth, Hertfordshire, innkeeper, July 9 at 12, County Court of Hertfordshire, at Bishop's Stortford.—*Joseph Smith*, Keyford, Frome, Somersetshire, not in any business, July 18 at 11, County Court of Somersetshire, at Frome.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Leaden-hall, as follows, to be examined and dealt with according to the Statute:—

July 19 at 10, before Mr. Commissioner LAW.
Thomas Dale, Metropolitan-buildings, St. Pancras Road, Middlesex, out of employ.

July 20 at 11, before Mr. Commissioner PHILLIPS.
Theophilus Christmas, Downside, Cobham, Surrey, grocer.—*John Cole*, Warwick-place, Fimbo, Middlesex, grocer.—*John Fraser Walker*, Featherstone-buildings, Holborn, Middlesex, attorney.—*Edmund Clark* the younger, Princes-street, Finsbury-square, Middlesex, out of business.

July 22 at 11, before Mr. Commissioner PHILLIPS.

John Stace Clude the elder, Broadway, Romford, Essex, paperhanger.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 19 at 11, before Mr. Commissioner HARRIS.

Compton Reade, Queen's-road, Bayswater, Middlesex, attorney-at-law.—William Coates, Albany-road, Old Kent-road, Surrey, clerk to a newspaper proprietor.—James Crane, Powis-place, Great Ormond-street, Queen's-square, Bloomsbury, Middlesex, maltster.—John Howes, High Holborn, Middlesex, straw bonnet dealer.—Jas. Baker, Ockley, near Dorking, Surrey, saddler.—Thomas Richard Bromage Roberts, Holborn-hill, London, tailor.

July 20 at 11, before Mr. Commissioner PHILLIPS.

John Innes Edwin, Hollywood-lodge, New Brompton, Middlesex, out of business.

July 22 at 11, before the CHIEF COMMISSIONER.

Wm. Grimstone, King-street, Seven-dials, Middlesex, manufacturer of tobacco.—Thomas Munday, Villiers-st., Strand, Middlesex, out of business.—Samuel Knibb, Norton-street, Portland-place, Marylebone, Middlesex, out of employment.—Wm. A. Bowler, North-hill, Colchester, Essex, surveyor.—Angus Gray, St. James's-place, Salisbury-st., Brompton, Surrey, waterman.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Thos. Booth, Birtle-cum-Bamford, near Bury, coal dealer, No. 72,521; James Lord, assignee.—S. Glover, Cheetham, near Manchester, attorney at law, No. 72,523; M. Ward, assignee.—Wm. Tunks, Liverpool, nail dealer, No. 72,584; Horatio Powell, assignee.—John Edmondson, Manchester, silk manufacturer, No. 72,575; Wm. Wood, assignee.—Jos. R. Dicker, Liverpool, bookkeeper, No. 72,585; Wm. Vallance, assignee.—George Goodwin, Blackpool, out of business, No. 72,469; Thomas Stafford, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, July 19 at 11.

Edw. Wilson, Manchester, grocer.—John Parkyn, Liverpool, out of business.—Richard Collier, Liverpool, painter.—T. H. Semmond, Liverpool, estate and house agent.—John Brown, Manchester, agent for the sale of wine and spirits.—John Middleton, Hulme, Manchester, commission agent.—Amelia Middleton, Hulme, Manchester, spinster.—Thos. N. Harper, Liverpool, furniture broker.—Thomas Holmes, Kirkdale, near Liverpool, joiner.—John Dean, Hulme, Manchester, milkeller.—Thomas Barker, Liverpool, out of business.—John Burke, Miles Platting, near Manchester, out of business.—Thomas Griffiths, Liverpool, joiner.—Wm. Francis Westall, Manchester, auctioneer.—Henry Dean, Manchester, fishmonger.

At the County Court of Berkshire, at READING, July 22 at 3.

John Houlton, Wokingham, saddler.—John Kistingbury, East Illey, plumber.—Robert Stevenson, Horton, Buckinghamshire, farmer.—H. E. Fordell, Maidenhead, lieutenant in her Majesty's 9th Regiment of Foot.—E. Longhurst, Maidenhead, carpenter.

At the County Court of Gloucestershire, at GLOUCESTER, July 22 at 10.

John Taylor the younger, Littleworth, licensed victualler.

At the County Court of Oxfordshire, at OXFORD, July 23. Joseph Bullock, Oxford, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

Henry Thomas Lambert, Chester-terrace, Chester-square, Finsbury, Middlesex, timber merchant: 3s. in the pound.—Charlotte Tribe, Uxbridge, Middlesex, milliner: 1s. 4½d. in the pound.—J. Fenner, Luton, near Chatham, Kent, gunner in the Navy: 1s. 10½d. in the pound.—George Robinson, Roeberton, near Spalding, Lincolnshire, wheelwright: 2s. 2d.

in the pound.—Thomas Daniels, Brighton, Sussex, butcher: 19s. 5d. in the pound.—B. P. H. Webb, Arnold's Paragon, Francis-street, Walworth, Surrey, surveyor of taxes: 16s. 3½d. in the pound.

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The Jurist

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JULY 13, 1850.

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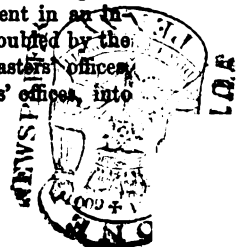
WE have now to offer some comments upon the New Orders and Regulations affecting the proceedings in Chancery in the Masters' offices—a portion of Chancery procedure even more important to the suitor than that which takes place in the superior court*.

The great alteration effected by the New Orders is the abolition of time-warrants, which unquestionably were the master- nuisance of the Master's office. The old practice is too recently abolished, for it not to be fresh in the recollection of Chancery practitioners, that the waste of time arising out of the system of time-warrants was perfectly frightful. Most cases, whether weighty and intricate or not, were disposed of by warrant for one hour, which would not have been practically a very mischievous mode of proceeding, if the state of business of the Masters' offices had frequently permitted the same matter to be proceeded with on days immediately consecutive. But, in practice, an interval of a week between one warrant and the next, as but a short interval; and latterly, especially since the Masters' offices have been absolutely choked up with cases under the Winding-up Acts, a fortnight, three weeks, or even a month, has been no unusual interval between the successive warrants requisite for the mere hearing of a case. The inevitable consequence has been, that, at the commencement of each warrant, much time has been necessarily consumed in going over ground which had already been travelled over, for the purpose of reinstating the case in the memory of the Judge. In addition to the actual waste of time thus produced, the effect of the system was to impart to

proceedings in the Master's office a degree of languor perfectly irresistible by those engaged in them, but operating to make all work done in the Master's office, done at what may be termed half-speed; so that, of every hour nominally devoted to business in the Master's office, it may be fairly, and without exaggeration, said, that one-fourth was consumed in doing a second time what had been done before; and in the remaining three-fourths as much work was done as would have been done in court in twenty-five or thirty minutes. Wherefore, if a Master sat for 250 days in the year, the work of about 120 or 130, at the most, would be got through.

To this evil the fourth of the New Orders is intended to apply a remedy; and carried into effect, as it is, by the new regulations laid down by the Masters, we conceive that it will apply an effectual remedy. There is, no doubt, in the present state of the arrangements, a considerable degree of inconvenience to counsel and solicitors, more particularly to counsel, attending the conduct of a case of any length in the Master's general list. For as a case in the Master's office is now really a cause, which must be argued out and disposed of at once, as the professional men engaged in it cannot leave it, neither can they have it postponed, because their presence may happen to be required in any of the superior courts; and, on the other hand, although, in one of the superior courts, the indulgence of postponement may be occasionally conceded, if the counsel on either side is actually engaged in a cause being heard in another court, unquestionably no such indulgence would be allowed because counsel is absent in an inferior court; and this inconvenience is doubled by the distance between the courts and the Masters' offices, and the practical seclusion of the Masters' offices, into

* For the Orders, see 14 Jur., part 2, p. 206; and for the rules of practice at present issued, see 14 Jur., part 2, p. 243.



which, though they are, in theory, open to the public, a solicitor's clerk cannot very well run to see whether his master or his counsel is there, as he can and does in any of the superior courts.

This is, however, a mere personal inconvenience to the Profession, for which, we doubt not, some remedy will soon be found. One great step for this and for other beneficial purposes would be, to make the Masters' offices really what they are only in theory, open courts, open as the Vice-Chancellors' Courts are, and as the office of Master Brougham has been during the past week, by the translation of its sittings to the Vice-Chancellor Wigram's Court.

If, however, the Masters' offices are really thrown open, regard should be paid, in their procedure and arrangements, not only to forms and rules of proceeding, but to those minor details, which, apparently trivial, are found to be intimately connected with the respect paid to the judge, and the effective dispatch of judicial business.

It may be thought, for instance, trivial to insist that the Master should sit robed in a raised judgment-seat, instead of being buried in an arm-chair, behind a table, with counsel and solicitors able almost to touch him; or that there should be a distinct seat for counsel, and another for their clients, as in court, and both so placed, with reference to the judge, that, whether the case is conducted by counsel or by solicitors, the advocate, whoever he may be, should address the Master from a reasonable distance. These things may appear matters of mere form; but they are matters of substance, because whatever totally breaks down form, introduces irregularity. In practice much of the time of a Master in Chancery is wasted, by reason of the informal style of proceeding, which is generated by the *melée* into which counsel, solicitors, clerks, parties, witnesses, and all concerned, are thrown. Men who may have no business to speak, will do so when they are thrown together, as it were, in a party, who would shrink from it if they had to rise in their places at a distance from the judge, and were thus obliged to call his special attention to what they are about to say. Indeed, in the Master's office, it is well known that much time is consumed in either answering those who ought never to have spoken, or in compelling them to be silent.

How the question of fair professional remuneration will be reconciled with the new system of treating cases in the Master's office as causes, is yet to be arranged. There may be some difficulty about it, with reference to both branches of the Profession. A solicitor, for instance, we believe, is only entitled to certain costs on each warrant, which costs are fixed on the notion of a warrant extending over one hour only; so that, if a case takes the whole day, and still more, if it is adjourned, as it must be, unless by express order, without a further warrant, the solicitor attending it will be the recipient of a very trifling remuneration for his labour.

So, if counsel is engaged, the fee to him, which his client will be allowed in costs, will be such as he would be justified in giving on delivering a brief for the Court. (10th Order). What that would be, if a

case, expected to take a part of a day, were—whether by reason of the unexpected examination of witnesses, or from other cause—unavoidably protracted over two or three days, (a thing which could only happen in Court in Bankruptcy, but may be of daily occurrence in the Master's office), it is not easy to say.

On these purely practical points, however, we doubt not that the Masters will find, after a short experience, how perfectly to reconcile the interests of the suitor with a fair regard to what is due to the Profession. Altogether, we anticipate from these New Orders great increase of dispatch in the Masters' offices; and, from their combination with the Orders of the 22nd April, the happiest results for the suitors of the court.

What are termed the interests of the Profession may, perhaps, be for a short time injured—that is, in the interval which shall elapse before the public shall find out that the Court of Chancery is a court where justice is really to be had quickly enough to make it worth having. When that period shall have elapsed, we are persuaded that the interests of the Profession, always, in truth, identical with those of the suitor, will be advanced, rather than injured, by the changes which have taken place.

In the leading article in our last Number the following cases were accidentally omitted:—

Page 241, col. 1, line 14, "*Reg. v. Jones*, (14 Jur., part 1, p. 533)."

Col. 2, line 6, "*Reg. v. Harris*, (13 Jur., part 1, p. 990)."

ON THE ACT FOR THE RELIEF OF TRUSTEES, 10 & 11 VICT. c. 96.

THE Act for the Relief of Trustees, 10 & 11 Vict. c. 96, amended by the 11 & 12 Vict. c. 74, is of such practical importance and constant application, that it is well from time to time to bring together the decisions which have taken place on its provisions.

Before the passing of that act a trustee who had once acted, however complicated and difficult the nature of his trust, could obtain the protection of a Court of equity only through the expensive process of a bill. The act we are now considering enables a trustee to transfer the trust fund into court, into the name of the Accountant-General, on compliance with certain provisions mentioned in the act and in the General Orders of the 10th June, 1848. When the trust fund has been thus paid into court, the parties equitably entitled may apply to the Court, by petition, to establish their rights; and if the Court can safely dispose of the matter on petition, it will do so, to save the expense of a suit; but if there be any question of doubt or difficulty, the Court will not dispose of such question on petition, but will direct a bill to be filed. (*In re Bloy's Trust*, 14 Jur., part 1, p. 49). The trustees, on payment of the trust fund into court under the act, are relieved from all further responsibility in respect of it, with this exception, that if it shall appear to the Court, on the petition of any of the parties equitably entitled, that the trustees paid the money into court without sufficient reason, they (the trustees) may be charged with the costs thereby incurred.

One of the earliest questions which arose on this act was, out of what fund the costs of petitions to the Court respecting the trust fund, by persons having limited interests in such fund, should be paid.

In *Ex parte Fletcher* (12 Jur., part 1, p. 619) and *Ex parte Peart*, (Id. 620), Knight Bruce, V. C., refused to

allow the costs of a petition by a tenant for life of the trust fund, to be paid out of the capital of the fund, to the prejudice of those entitled in remainder, without their consent. In neither of those cases, which arose before the General Orders of the 10th June, 1848, were the persons entitled in remainder served with the petition. This fact, however, does not appear to affect the principle of those decisions. (See 12 Jur., part 1, p. 345).

In the case of *In re Sharpe's Trustees*, (15 Sim. 470), where the petitioners were entitled to certain shares in the trust fund, and prayed payment of such shares, the Vice-Chancellor of England, although the petitioners submitted to bear the costs of the inquiries necessary to establish their claims, was of opinion that the testator's assets ought to bear that expense; that the object of the statute was merely to relieve trustees; and that it was not the intention of the Legislature to deprive the beneficial takers of those costs, which, before the act, would have been borne by the testator's general assets.

The question of costs, however, was reserved, and a reference directed. The Master of the Rolls also, in the case of *In re Cawthorne*, (18 L. J., Ch., 116), seemed to consider that the Court had jurisdiction to order costs out of the general estate of the testator. In that case a trust fund had been paid into court by the executor of the testator's will. The petitioners were an annuitant, to whom the tenant for life of the trust fund had granted an annuity, and the trustees of such annuitant, to whom the tenant for life had assigned his life interest for better securing the annuity in question. Lord Langdale, having disposed of the other questions raised by the petition, ordered the costs of the trustees of the annuitant, incidental to the petition, to be paid out of the trust fund; and the costs of the executor, incidental to the payment of the trust fund into court, to be paid out of the testator's general estate. Notwithstanding, however, this order for payment of the costs of the executor, it seems, on principle, that it is not competent to the Court to order payment of any costs out of the testator's general estate. By the payment of a particular fund into court under the act, the Court gains no jurisdiction over the general estate of the testator, but only over that particular fund which has been paid in. How, then, is it competent to the Court to order costs to be paid out of a fund over which it has no jurisdiction? Thus, in the case of *In re Bartholomew's Will*, (13 Jur., part 1, p. 380), the petitioner claimed, as the personal representative of a legatee who had died an infant, a legacy which had been paid into court by the executors of the testator's will. An adverse claim was set up, and the petitioner served both the adverse claimant and the trustees of the fund with the petition. The Vice-Chancellor of England having decided against the adverse claimant, and in favour of the petitioner, the question arose as to the payment of the costs. His Honor held, that, the particular legacy only having been paid into court, he had no jurisdiction to order payment of any of the costs out of the testator's general residuary estate, but that all parties must have their costs out of the fund in court. He considered this a great injustice of the act, as it enabled an executor, by paying money into court, to put parties in a worse position than they would be in if a bill were filed; in which latter case they would get their costs out of the general estate. The Vice-Chancellor, therefore, expressly overruled, and it seems consistently with principle, the opinion which he expressed in the case of *In re Sharpe's Trustees*, as to payment of costs out of the testator's general estate; and it is submitted that that part of the order of the Master of the Rolls, in *Re Cawthorne*, which ordered the costs of the executor to be paid out of the testator's general estate, cannot now be supported. It seems also difficult to reconcile that part of the same

order which ordered the costs of the annuitant's trustees to be paid out of the fund in court, with the decision of Knight Bruce, V. C., in *Ex parte Fletcher* and *Ex parte Peart*. For if it be true that a tenant for life will not be allowed the costs of his petition out of the trust fund, it seems to follow, that no one claiming through the tenant for life, as the annuitant's trustees in the case of *In re Cawthorne*, can be in a better position. In another case the petitioner had, under the trusts of a marriage settlement, become, by the death of her husband, entitled for life to the dividends of a fund which on her death returned to the husband's representatives. All the trustees of the settlement having died, the executors of the surviving trustee paid the fund into court. The petitioner prayed for payment of the dividends during her life, and that the costs of all parties incidental to the application, and the costs of the executors of the surviving trustee incidental to the payment of the trust fund into court, might be paid out of the principal of such fund. The Vice-Chancellor of England ordered payment of the costs according to the prayer of the petition. This order, so far as relates to the costs of the petitioner, who was only tenant for life of the fund, seems also directly opposed to the decisions of Knight Bruce, V. C., in *Ex parte Fletcher* and *Ex parte Peart*, mentioned above. It appears, therefore, to be still an open question, whether or not the Court will order the costs of a petition, presented by a party having a limited interest in the trust fund, to be paid out of the capital of that fund.

We have already remarked, that if a trustee pay trust money into court without sufficient reason, he may be charged, on the petition of those equitably entitled to the fund, with the costs thereby incurred. It is, therefore, of great importance to know under what circumstances a trustee will be justified in paying a trust fund into court. No accurate rule can be laid down on this point, but every case will depend on its own circumstances. The general rule, as laid down by Sir John Leach, and which applies equally to cases since as before the act, is, that a trustee is always entitled to the protection of the Court in the execution of his trust, except where the act required to be done leads to no responsibility, and the motive of the trustee is obviously vexatious. (*Curtis v. Chandler*, 6 Mad. 123). In similar language it is laid down by Lord Langdale, "that if a trustee undertakes the performance of a trust, he is not entitled, as against the estate he has undertaken to protect, to exercise a mere caprice, and, without any assignable reason, say that he will no longer continue a trustee. On the other hand, if the trustee finds the trust estate involved in intricate and complicated questions, which were not and could not have been in contemplation at the time when the trust was undertaken, he has, in consequence of that change of circumstances, a right to come to the Court to be relieved; and the Court will judge whether the circumstances were such as to make it fair for him to decline acting longer upon his own responsibility." (*Groomwood v. Wakeford*, 1 Beav. 381).

Having mentioned the general rule, it will be sufficient to refer to the two following cases, which have lately been decided, on this part of the subject. By a settlement it was provided, that if either of the trustees died, or were desirous of being discharged from, or incapable of performing the trusts, the petitioners, during their lives, and afterwards the surviving or continuing trustee, might appoint any other person or persons in their stead. There were originally three trustees, and, one of them having died, the petitioners, in exercise of their power, appointed two new trustees in the room of the three original ones. The two surviving original trustees refused to transfer the fund to the two new trustees, alleging that, under the power in the settlement, three new trustees should have been

appointed, and they thereupon paid the money into court. The Vice-Chancellor of England held, that inasmuch as the settlement enabled the petitioners to appoint one or more trustee or trustees in the place of those retiring or dying, the surviving trustees were not justified in paying the money into court, and must bear the costs thereby incurred. (*In re Fagg's Trust*, 40 L. O. 327).

In another case, however, a fund was, by a marriage settlement, vested in trustees, with an ultimate trust, which, on the death of the wife without having had children, took effect in favour of the husband absolutely. The husband, previously to the death of the wife, had assigned all his property to trustees for the benefit of his creditors. On the death of the wife the trustees of the creditors' deed claimed the fund from the trustees of the settlement, and produced a written admission of the husband that they (the creditors' trustees) were entitled to the fund. The trustees of the settlement, however, alleging that a solicitor claimed a lien on the settlement, and had possession of that deed, and that they had no personal knowledge of the deed of assignment for the benefit of creditors, paid the money into court. On a petition by the trustees of the creditors' deed for payment of the money out of court, and to charge the trustees of the settlement with the costs, the Vice-Chancellor thought that the latter trustees were justified in the course they had taken. His Honor said, "It was clear that the trustees (of the settlement) might have been subject to some trouble in ascertaining the claims made upon the fund, and he did not think they were bound to take that trouble. The parties had evidently disagreed upon the subject, and there was no obligation upon them (the trustees of the settlement) to take any responsibility; but they might discharge themselves from the trusts whenever they pleased, by paying the money into court. He therefore thought they were entitled to their costs. (*In re Croydon's Trust*, 19 L. J., Ch., 173).

Where an executor, after the death of his co-executor, who during her life had alone acted in the executorship, proved the testator's will, and, thinking the other assets sufficient to discharge the unpaid liabilities of the testator, paid a certain fund into court, but after such payment discovered that the other effects were not, as he had thought, sufficient to pay the testator's remaining liabilities, the fund in court was, on his petition, repaid to him, on his undertaking properly to apply it; the parties beneficially entitled consenting to this course. (*Ex parte Tournay*, 14 Jur., part 1, p. 263).

In the payment of money into court under this act care must be taken that the money be paid to a particular account, and not to the account of the testator's will generally.

Executors paid money into court under the act, to an account headed, "In the Matter of the Will of Samuel Joseph, deceased." On a petition presented for payment out of court, by a party claiming to be beneficially entitled to the fund, Lord Langdale, M. R., refused to make any order, on the ground that the account was too general to enable the Court to act under the statute. He said, "A trustee, who pays money into court to a particular account, will be exonerated as to that sum; but where it is paid to the account of a testator's will generally, it leads to a general administration of the estate. The matter is left too vague and indefinite for the Court to act under this act of Parliament. . . . In proceeding under this act, I conceive an executor must take upon himself the responsibility of saying that the fund belongs to those to whose particular account he desires the fund to be carried, but he declines to take on himself the responsibility of ascertaining the persons or making the pay-

ments. It is very important that this distinction should be generally known." His Lordship also said that he could not pay the fund back again, but that he would give leave to the executors to apply for a transfer of the fund from the account, which was too general, to a particular account, but that for such transfer a distinct application must be made. (*In re Joseph's Will*, 11 Beav. 625).

The costs of such application and transfer would, we presume, fall upon the executors. F. N. B.

London Gazette.

TUESDAY, JULY 9.

BANKRUPTS.

WILLIAM GEORGE DENNETT WALLIS, Grove-place, Lisson-grove, Middlesex, bill broker, dealer and chapman, July 23 at 2, and Sept. 2 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Evans, 12, Gray's-inn-square.—Petition filed June 27.

NEVILLE BROWN, Sibson-green, Hoanalow-beath, Middlesex, licensed victualler, dealer and chapman, July 20 at 12, and Aug. 17 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Brown, 3, Lawrence Poultry-lane, London.—Petition dated July 6.

GEORGE WILLIAM LAW, Landport, Portsea, Hampshire, auctioneer, valuer, estate agent, draper, dealer and chapman, July 20 at half-past 12, and Aug. 17 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Price, Portsea; Ivimey, 26, Chancery-lane.—Petition dated July 9.

THOMAS DALTON, Coventry, silk dyer, dealer and chapman, July 23 and Aug. 20 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Troughton & Co., Coventry; Austen, 4, Raymond-buildings, Gray's-inn, London.—Petition dated July 4.

JOHN TAYLOR the younger, Littleworth, Gloucestershire, licensed victualler, hay, straw, and corn dealer, dealer and chapman, July 23 and Aug. 20 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Wilkes, Gloucester.—Petition filed June 25.

JOHN BUDGE SPARKE, Torquay, Devonshire, butcher, dealer and chapman, July 23 at 11, and Aug. 15 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hermann; Sols. Rooker, Plymouth; Terrell, Exeter.—Petition filed June 25.

JOHN WALLACE, Carlisle, Cumberland, grocer and tea dealer, dealer and chapman, July 16 and Aug. 20 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Armstrong, Carlisle; Harle, 20, Southampton-buildings, Chancery-lane, London, and Newcastle-upon-Tyne.—Petition filed June 27.

MEETINGS.

Walter Bates, South Shields, Durham, builder, July 18 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—**Jasper Fletcher**, Manchester, auctioneer, July 26 at 12, District Court of Bankruptcy, Manchester, aud. ac.: April 1 at 12, div.—**Samuel Mobbs**, Alfred-place, Alexander-square, Brompton, Middlesex, coal merchant, July 30 at 12, Court of Bankruptcy, London, fin. div.—**Edw. Brien**, Bristol, cabinet maker, Aug. 1 at 11, District Court of Bankruptcy, Bristol, div.—**George Lister** the younger, Kingston-upon-Hull, porter merchant, July 31 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, first and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Rawson, Market Rasen, Lindsey, Lincolnshire, seed merchant, July 31 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.

To be granted, unless an Appeal be duly entered.

Jas. Swinburn, Ledbury-terrace, Westbourne-grove West, Notting-hill, Middlesex, builder.—**R. T. Peters**, High Holborn, Middlesex, hotel keeper.—**Edwin Calder**, Birmingham,

millar.—George Everard, Longton, Stoke-upon-Trent, Staffordshire, earthenware manufacturer.

SCOTCH SEQUESTRATIONS.

John Young, Glasgow, general merchant.—Thos. Ronald, Grunart, Island of Islay, Argyshire, deceased, farmer.—Peter Barrie, Glasgow, fisher.—Adam Manson, Whitelaw, near Currie, grazier.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Baxter Phelps, Salisbury, Wiltshire, surveyor of Inland Revenue, July 24 at 12, County Court of Wiltshire, at Salisbury.—Benjamin Robert Heath, Ipswich, Suffolk, gentleman, July 26 at 10, County Court of Suffolk, at Ipswich.—Francis Davis, Oxford, livery-stable keeper, July 23 at 2, County Court of Oxfordshire, at Oxford.—John Huckman, Ipswich, Suffolk, beer-house keeper, July 26 at 10, County Court of Suffolk, at Ipswich.—Anne Mayhew, Yoxford, near Saxmundham, Suffolk, assistant milliner, July 24 at 2, County Court of Suffolk, at Halesworth.—Elizabeth Mayhew, Yoxford, near Saxmundham, Suffolk, milliner, July 24 at 2, County Court of Suffolk, at Halesworth.—Henry Knevetts Bransby, Southwold, Suffolk, schoolmaster, July 24 at 2, County Court of Suffolk, at Halesworth.—Richard Fry, Alphington, Devonshire, out of business, Aug. 10 at 10, County Court of Devonshire, at Exeter.—William Ansell, Balsham, Cambridgeshire, carpenter, July 22 at 11, County Court of Essex, at Saffron Walden.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 23 at 11, before Mr. Commissioner HARRIS.

George Haydon, Hatfield-place, Westminster-road, Surrey, agent.—Henry James, Victoria-cottages, Montpelier-row, Rye-lane, Camberwell, Surrey, carpenter.—John Blake Carpenter, Queen-street, Camden-town, Middlesex, out of business.—William Henry White, Brentford, Middlesex, tea dealer.—John Welmskurt Bangor, jun., Howley-place, Kentish-town, Middlesex, tailor.

July 23 at 10, before Mr. Commissioner LAW.

James Caley, George-street, London-fields, Hackney, Middlesex, pianoforte maker.—Bhakim Jones, Hartland-cottages, lawley-crescent, Camden-town, Middlesex, wine merchant.

July 24 at 11, before the CHIEF COMMISSIONER.

James Martin Anthony, Greek-street, Soho, Middlesex, dist.—James Roome, East-street, Dorset-street, Manchester-square, Middlesex, corn dealer.—Thomas Ballard, Charles-street, City-road, Middlesex, clerk and sexton of St. Matthew's Church, City-road.—William Dennis Wright, Shenfield, near Brentwood, Essex, farmer.

July 25 at 10, before Mr. Commissioner LAW.

Charles Eastwick, Stonely South, Tottenham, Middlesex, ear-shop keeper.

Saturday, July 6.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Henry Lucas, Albert-terrace, High-row, Knightsbridge, Middlesex, tailor, No. 61,488 T.; John Henry Cooke, assignee. Charles Merit Rigg, Spring-terrace, Wandsworth, Surrey, doctor of medicine, No. 61,574 T.; Walter Searley Long, assignee.—Mary Russell, Maidenwell, Portland, Dorsetshire, king-house keeper, No. 72,065 C.; Jonathan Comben Lano, assignee.—George Dodd, Guilden Sutton, Cheshire, labourer, No. 72,410 C.; William Roberts, assignee.—John Hughes, Alden Sutton, Cheshire, labourer, No. 72,412 C.; William Herts, assignee.—John Holdsworth, Woolshops, Halifax, Yorkshire, innkeeper, No. 72,427 C.; George Jennings, assignee.—John Clarkson, West Stonesdale, Yorkshire, farmer, No. 72,457 C.; Matthew Horley, assignee.—Thomas David, Chester, clerk to the Chester and Holyhead Railway Company, No. 72,492 C.; Samuel John Claye, assignee.—Richard

Picton Glynn, New Brighton, Cheshire, broker, No. 72,500 C.; William Mountcastle, assignee.—Charles Farrer, Norton, near Malton, Yorkshire, trainer, No. 72,515 C.; William Plews, assignee.—Salisbury Glover, Chestham, near Manchester, attorney-at-law, No. 72,523 C.; Michael Ward, assignee.—William Henry Ingleby, Birkenhead, Cheshire, in no business, No. 72,586 C.; Thomas Snelling, assignee.

Saturday, July 6.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

George Thomas Street, Brook-street, Lambeth, Surrey, licensed victualler: in the Gaol of Horsemerger-lane.—Geo. Milner, Marlborough-place, Lambeth, Surrey, commission agent: in the Debtors Prison for London and Middlesex.—D. Wilson, Percival-st., Goswell-st., Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—Joseph Pates the younger, Manor-place South, King's-road, Chelsea, Middlesex, baker: in the Debtors Prison for London and Middlesex.—Thomas Quicke, Symond's-inn, Chancery-lane, Middlesex, in no trade: in the Queen's Prison.—John Press Howard, Richmond-st., Richmond-road, Barnsbury-park, Islington, Middlesex, flour factor: in the Queen's Prison.—John Philpot, Southwark-square, Union-st., Southwark, Surrey, cheesemonger: in the Queen's Prison.—David Mendes, Middlesex-st., Aldgate, London, harness maker: in the Debtors Prison for London and Middlesex.—Zebedee Wilcos, Hare-st., Bethnal-green, ginger-beer maker: in the Debtors Prison for London and Middlesex.—Stephen Wm. Burridge, Newington-causeway, Surrey, licensed victualler: in the Queen's Prison.—Charles Samuel West, Caroline-st., Old Kent-road, Surrey, wire manufacturer: in the Queen's Prison.—Fred. Wm. Cobb, Oxford-court, Cannon-st., London, wholesale tea dealer: in the Queen's Prison.—Deitrich Müller, Henrietta-st., Brunswick-square, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—James Puttock, Sherborne-st., Blandford-square, Middlesex, auctioneer: in the Debtors Prison for London and Middlesex.—Josiah Nightingale, Haymarket, Saint James's, Middlesex, eating-house keeper: in the Debtors Prison for London and Middlesex.—Wm. Henry Royer, Old-st., St. Luke's, Middlesex, dealer in furniture: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

George Chitty, Shaftesbury, Dorsetshire, solicitor: in the Queen's Prison.

(On their own Petitions).

Henry Baker, Minety, Wiltshire, merchant: in the Gaol of Fisherton Angar.—Richard Wrayford Clappitt, St. Thomas the Apostle, Devonshire, spirit merchant: in the Gaol of St. Thomas the Apostle.—John Dean, Hulme, Manchester, milk-seller: in the Gaol of Lancaster.—George Grant, Hornchurch, Essex, victualler: in the Gaol of Springfield.—Thos. Nathaniel Harper, Liverpool, furniture broker: in the Gaol of Lancaster.—Samuel Holdsworth, Burnley, Lancashire, shoemaker: in the Gaol of Lancaster.—Ebenezer Longhurst, Maidenhead, Berkshire, carpenter: in the Gaol of Reading.—John Pryn, Buckland Monachorum, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—J. Roberts, Ross, Herefordshire, coal miner: in the Gaol of Hereford.—William Francis Westall, Manchester, auctioneer: in the Gaol of Lancaster.—Jos. Bullock, Oxford, innkeeper: in the Gaol of Oxford.—John Clark, Landport, Portsea, Hampshire, draper: in the Gaol of Winchester.—Anne Edwards, Manchester, out of business: in the Gaol of Lancaster.—George Fearn, Manchester, ornamental painter: in the Gaol of Lancaster.—Wm. Fothergill, Lancaster, patten maker: in the Gaol of Lancaster.—Hugh Gill, Bradford, Yorkshire, labourer: in the Gaol of York.—Joseph Gledhill, Bowling, near Bradford, Yorkshire, woolcomber: in the Gaol of York.—Sophia Sarmon, spinster, West Cowes, Isle of Wight, Hampshire: in the Gaol of Winchester.—James Stephenson, Gilderstone, near Leeds, Yorkshire, coal miner: in the Gaol of York.—Maurice West, Sheffield, Yorkshire, tallow chandler: in the Gaol of York.—Edward Loresby Whetnal, Nottingham, out of business: in the Gaol of Nottingham.—S. Bayly, Folkstone, Kent, grocer: in the Gaol of Dover.—James Kerr, Holbeck, near Leeds, Yorkshire, medical student: in the Gaol of York.—George Nichols, Wakefield,

Yorkshire, assistant bookseller: in the Gaol of York.—*Thomas Smeadling*, Easbam, Oxfordshire, farmer: in the Gaol of Oxford.—*William Armistead*, Crooke's-moor, near Sheffield, Yorkshire, publican: in the Gaol of York.—*Joseph Hodson*, Scarborough, Yorkshire, commission agent: in the Gaol of York.—*Richard Outkwaite*, Hiplin, near Catterick, Yorkshire, farmer: in the Gaol of York.—*John Phillips*, Liverpool, out of business: in the Gaol of Lancaster.—*John Day* the elder, Coventry, Warwickshire, ribbon manufacturer: in the Gaol of Warwick.—*Henry Day*, Coventry, Warwickshire, undertaker: in the Gaol of Warwick.—*Thomas Bird Bailey*, Coventry, Warwickshire, fringe manufacturer: in the Gaol of Warwick.—*Joseph Day*, Coventry, Warwickshire, ribbon weaver: in the Gaol of Warwick.—*James Watkins*, Llanvihangel, Crewkerne, near Abergavenny, Monmouthshire, miller: in the Gaol of Monmouth.—*John Strafford*, Linderidge, Worcestershire, farmer: in the Gaol of Worcester.

(On Creditor's Petition).

John Bartlett, Bath, Somersetshire, butcher: in the Gaol of Wilton.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 23 at 10, before Mr. Commissioner LAW.

Giovanni D'Athanas, Norfolk-street, Strand, Middlesex, dealer in antiquities.—*George Heywood*, Upper Seymour-st. West, Connaught-sq., Middlesex, valuer.—*William Conway*, Edgeware-road, Middlesex, dealer in china.

July 25 at 11, before the CHIEF COMMISSIONER.

James Leigh, Bollington, Cheshire, cotton spinner.—*Thos. Beasley*, Rosebury-place, Dalston, Middlesex, accountant.—*Adolphus D. Francis*, Wandsworth, Surrey, out of business.

July 25 at 10, before Mr. Commissioner LAW.

W. Hornblower, Wilderness-row, Clerkenwell, Middlesex, printer.

July 25 at 11, before Mr. Commissioner PHILLIPS.

Henry Richardson, High-st., Hampstead, Middlesex, shoemaker.—*Wm. Whitehead*, Oldham, Lancashire, proprietor of a coal mine.—*George T. Street*, Brook-st., Lambeth, Surrey, out of business.—*Edmund B. Smith*, Bedford-row, Deptford-road, Rotherhithe, Surrey, dealer in tea.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Oxfordshire, at OXFORD, July 23 at 2.

James Wm. Davenport, Oxford, tailor.

July 24, at the same hour and place.

Thomas Smeadling, Ensham, farmer.

At the County Court of Suffolk, at IPSWICH, July 26 at 10.
Peter Crowe, Thorndon, out of business.

At the County Court of Wiltshire, at SALISBURY, July 24 at 2.

Robt. Fowler, Semley, stonemason.—*Hen. Baker*, Minety, coal merchant.

At the County Court of Hampshire, at PORTSMOUTH, July 30.

James Wm. Richards, Landport, Portsea, butcher.

At the County Court of Yorkshire, at KNARESBOROUGH, July 25 at 11.

Elizabeth Pearson, Knaresborough, out of business.

At the County Court of Devonshire, at EXETER, July 31 at 10.

Joseph Aplin, Stockland, yeoman.—*Thomas Ash*, Chudleigh, carpenter.

At the County Court of Somersetshire, at TAUNTON, July 24 at 9.

Henry Mallett, Upton, near Wiveliscombe, farmer.

At the County Court of Herefordshire, at HEREFORD, Aug. 15 at 10.

John Roberts, Ross, out of business.

At the County Court of Essex, at CHELMSFORD, July 25.
George Groust, Hornchurch, out of business.

At the County Court of Hertfordshire, at HERTFORD, July 26.

Wm. Thomas, Chipping Barnet, commercial traveller.—*John Bail*, Great Berkhamstead, out of business.—*Neill Malcolm*, Chessant, barrister-at-law.

MEETINGS.

W. Hunt, Dale-place and Frogmore, Wandsworth, Surrey, carrier, July 24 at 12, Smith & Co.'s, 3, Basinghall-street, London, sp. aff.

FRIDAY, JULY 12.

BANKRUPTS.

BURROWES WILLCOCKS ARTHUR SLEIGH, Bedford-st., Strand, and Thurlow-square, Brompton, Middlesex, printer, publisher, newspaper proprietor and vendor, July 24 at 2, and Sept. 3 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Gustard, 53, Lincoln's-in-fields.—Petition filed May 29.

JAMES HENRY GILL, Plumbers'-row, City-road, Middlesex, grocer, dealer and chapman, July 22 at 12, and Aug. 23 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Hine & Robinson, 32, Charterhouse-square.—Petition dated July 10.

CHARLES GARLICK, Charterhouse-square, Middlesex, woollen and Manchester warehouseman, dealer and chapman, July 25 at 11, and Aug. 23 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Linklater, 1, Charlotte-row, Mansion-house.—Petition dated July 9.

WILLIAM CLARIDGE, High-st., Bromley St. Leonard, Middlesex, butcher, grocer, and cheesemonger, July 22 at half-past 11, and Aug. 23 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Champion & Jutsum, 71, Whitechapel-road.—Petition dated July 9.

SAMUEL WILKES, Birmingham, clock-dial maker and factor, July 22 and Aug. 19 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Lowe, Birmingham.—Petition dated May 8.

THOMAS ROLLASON and WILLIAM BURMAN, Birmingham, glass and china dealers, dealers and chapmen, (carrying on business under the style or firm of Rollason & Burman), July 22 and Aug. 17 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Stubbs & Smallwood, Birmingham; James, Birmingham.—Petition dated June 29.

JOSHUA WOODWARD, Olive Mills, Loxley, Bradford, Ecclesfield, Yorkshire, paper manufacturer, dealer and chapman, July 27 and Aug. 24 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Rayner, Sheffield.—Petition dated July 9; filed July 10.

JOHN JONES, Brynmawr, Llanelli, Breconshire, coal merchant, grocer and draper, July 23 and Aug. 20 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Bigg, Bristol.—Petition filed July 9.

MEETINGS.

Wm. Pile and John Pile, Monkwearmouth, Durham, ship-builders, July 22 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*George Burnett Abelson*, Portsmouth, Southampton, coal merchant, Aug. 8 at half-past 11, Court of Bankruptcy, London, aud. ac.; Aug. 16 at 12, div.—*Wm. Clayton*, Chesapeake, London, carpet warehouseman, Aug. 2 at 1, Court of Bankruptcy, London, aud. ac.; Aug. 5 at 1, fin. div.—*James Honiball*, Ingram-court, Fenchurch-st., London, and Dunston, Wickham, Durham, anchor manufacturer, Aug. 1 at 11, Court of Bankruptcy, London, aud. ac.; Aug. 2 at 11, div.—*Cornelius Harness* and *Edward Baily*, Aldermanbury, London, warehousemen, Aug. 1 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Wm. Twissley*, Bristol, slate merchant, Aug. 8 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Aug. 13 at 11, div.—*Thomas Fenwick* and *Robert Kidd*, Tynemouth, Northumberland, common brewers, Aug. 8 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. sep. est. of *Robert Kidd*; Aug. 9 at 11, second and fin. div.—*Benj. Drewry*, Hulme, Lancashire, joiner and builder, July 25 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Samuel Gundry* and *Walter Eustace Gundry*, Bridport, Dor-

setshire, bankers, Aug. 7 at 11, District Court of Bankruptcy, Exeter, and. ac. and div.—*Joseph Wilson Brooks* and *Joseph Wilson*, Liverpool, merchants, Aug. 5 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*George Sheppard*, Thornton-le-Clay, Yorkshire, corn dealer, July 25 at 11, District Court of Bankruptcy, Leeds, and. ac.; Aug. 2 at 11, div.—*Henry Hardy*, Bradford, Yorkshire, tea dealer, July 25 at 11, District Court of Bankruptcy, Leeds, and. ac.—*Stephen Chappel* and *James Chappel*, Hunslet, Leeds, Yorkshire, earthenware manufacturers, July 25 at 11, District Court of Bankruptcy, Leeds, and. ac.; Aug. 2 at 11, div.—*George Wilson*, Wakefield, Yorkshire, draper, July 25 at 11, District Court of Bankruptcy, Leeds, and. ac.—*George Lister* the younger, Kingston-upon-Hull, wholesale ale merchant, July 31 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, and. ac.—*Joseph Jackson*, Birmingham, builder, July 31 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Jesse Hilton* and *Jonathan Fisher*, Foleshill, Warwickshire, silk manufacturers, July 31 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Thomas Bretherton*, Birmingham, livery-stable keeper, July 24 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Saml. Wilson*, West Bromwich, Staffordshire, draper, Aug. 3 at 10, District Court of Bankruptcy, Birmingham, and. ac.—*William Varnam*, Ibstock, Leicestershire, draper, Aug. 3 at 10, District Court of Bankruptcy, Birmingham, and. ac.; at 11, div.—*Thomas Swift*, Monmouth and Chepstow, Monmouthshire, and Brookwear, Gloucestershire, and Bristol, timber merchant, Aug. 2 at 11, District Court of Bankruptcy, Bristol, div.—*Henry Paris*, Liverpool, grocer, Aug. 5 at 11, District Court of Bankruptcy, Liverpool, div.—*William Maddos*, Liverpool, tailor, Aug. 5 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

George Burnett and *Hen. Alderson Thompson*, Newcastle-upon-Tyne, and Jarrow, Durham, alkali manufacturers, Aug. 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Buckley Royle*, Manchester and Ardwick, Lancashire, gingham manufacturer, Aug. 6 at 12, District Court of Bankruptcy, Manchester.—*William Varnam*, Ibstock, Leicestershire, draper, Aug. 3 at 10, District Court of Bankruptcy, Birmingham.—*William Walford*, Wolverhampton, Staffordshire, common brewer, Aug. 8 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Martin Luther Pritchard, Liverpool, sharebroker.—*James Edward Clarke*, Bury St. Edmund's, Suffolk, clothier.—*John Stolle* and *William Hodgson*, Christian-street, St. George-in-the-East, Middlesex, vinegar makers.—*John Wenham*, Bookley, Sussex, tailor.—*John Goddard*, Outwell, Norfolk, carpenter.—*Charles Veals*, Uffculme, Devonshire, baker.—*Benjamin Symes Saunders*, Stawell, Moorlinch, Somersetshire, quarryman.—*Henry Paris*, Liverpool, grocer.

SCOTCH SEQUESTRATIONS.

William Maxwell, Dundee, merchant.—*Ann Sutherland*, Helmesdale, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Amos Helliwell, Green's Nook, near Bacup, Lancashire, shopkeeper, July 30 at 12, County Court of Lancashire, at Haslingden.—*Benj. Owen*, Bilston, Wolverhampton, Staffordshire, licensed victualler, July 18 at 12, County Court of Staffordshire, at Wolverhampton.—*George Bonser*, Cropwell Bishop, Nottinghamshire, miller, Aug. 9 at 9, County Court of Nottinghamshire, at Bingham.—*Rich. McDonald Shoule*, Bristol, painter, July 24 at 11, County Court of Gloucestershire, at Bristol.—*John H. Bellaire*, Harrington, Cumberland, lieutenant on half-pay in her Majesty's Royal Navy, July 29 at 11, County Court of Cumberland, at Whitehaven.—*J. W. Dancer*, Wednesfield-leath, Wolverhampton, Staffordshire, grocer, July 18 at 12, County Court of Staffordshire, at Wolverhampton.—*Jas. Milward*, Wolverhampton, Staffordshire, my dealer, July 18 at 12, County Court of Staffordshire, at Wolverhampton.—*Wm. Taylor*, East Butterwick, Lincoln-

shire, farmer, Aug. 24 at 11, County Court of Lincolnshire, at Brigg.—*John Washington*, Chalton, near Dunstable, Bedfordshire, licensed victualler, Aug. 8 at 10, County Court of Bedfordshire, at Leighton Buzzard.—*Judith Garrard*, widow, Surlingham, Norfolk, schoolmistress, July 29 at 10, County Court of Norfolk, at Norwich.—*James S. Garthorn*, Norwich, surgeon, July 29 at 10, County Court of Norfolk, at Norwich.—*Henry Guy*, Ipswich, Suffolk, attorney-at-law and solicitor, July 26 at 10, County Court of Suffolk, at Ipswich.—*Israel Baxter*, Swansea, Glamorganshire, ironmonger, July 24 at 10, County Court of Glamorganshire, at Swansea.—*J. Sayce*, Clifford, Herefordshire, innkeeper, Aug. 19 at 10, County Court of Brecknockshire, at Hay.—*Joseph Read*, Axbridge, butcher, July 25 at 2, County Court of Somersetshire, at Axbridge.—*W. Stephens*, Llanfihangel Talyllyn, Brecknockshire, wheelwright, Aug. 20 at 10, County Court of Brecknockshire, at Brecknock.—*Thomas Allen*, Belton, Rutlandshire, carpenter, Aug. 3 at 2, County Court of Rutlandshire, at Uppingham.—*Jonathan Butten*, Southwold, Suffolk, shoe seller, July 24 at 2, County Court of Suffolk, at Halesworth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 27 at 11, before Mr. Commissioner HARRIS.

Wm. Aiden, Davies-street, Grosvenor-square, and Middlesex-road, Dalston, Hackney, Middlesex.—*Jas. Eden*, Corn-wall-road, Lambeth, Surrey, out of business.—*Mary Ruth Noble*, King-street, Covent-garden, Middlesex, servant.

July 29 at 10, before Mr. Commissioner LAW.

Thomas Adams the elder, Robert's-row, Walham-green, Middlesex, brewer's labourer.—*Robt. Larkins*, Sharp's-alley, Cow-cross-street, Middlesex, pork butcher.—*William H. Guerrier*, Henry's-place, Hoxton Old-town, Middlesex, jobbing butcher.

July 29 at 11, before Mr. Commissioner PHILLIPS.

John Robert Rendell Downie, Johnson-st., Westminster, Middlesex, hackneyman.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 26 at 11, before Mr. Commissioner HARRIS.

Henry Isaac Jacob, Nottingham-place, Commercial-road East, Middlesex, commission agent.—*John Smith*, Foley-pl., Portland-place, Middlesex, out of business.—*William Price*, Royal-hill, Greenwich, Kent, baker.—*Alexander Hen. Ring*, Frederick-st., Gray's-inn-road, Middlesex, out of business.—*James Lucy*, Caroline-place, Copenhagen-street, Islington, Middlesex, commission agent.—*Thomas Saphin*, Upton-road, Downham-road, Kingland, Middlesex, clockmaker.—*George Dover*, Ebury-square, Pimlico, Middlesex, smith.

July 26 at 10, before Mr. Commissioner LAW.

John Philpot, Southwark-square, Union-street, Southwark, Surrey, shopman to a cheesemonger.

July 29 at 10, before Mr. Commissioner LAW.

Thomas Rutter, Lillington-street, Vauxhall-bridge-road, Pimlico, Middlesex, plasterer.—*Price Humphreys*, White Conduit-place, Pentonville, Middlesex, dealer in cigars.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at the CASTLE OF EXETER, July 31 at 10.

John Pryn, Buckland Monachorum, farmer.

At the County Court of Nottinghamshire, at NOTTINGHAM, Aug. 8 at 9.

Edward L. Whetnall, Nottingham, commercial traveller.—*John Taylor*, Nottingham, framework knitter.—*Michael Lacy Shacklock*, Nottingham, plumber.

At the County Court of Hampshire, at the CASTLE OF WINCHESTER, July 26.

Sophia Sarmon, spinster, West Cowes, Isle of Wight.—

Wm. Farish, Millbrook, near Southampton, licensed hawk.
—*John Clark*, Landport, Portsea, tailor.

At the County Court of Yorkshire, at YORK CASTLE,
July 27 at 10.

George Simpson Haigh, Northorram, near Halifax, out of business.—*John Midgley*, Bardsey Mill, near Wetherby, corn miller.—*James Purchon*, Bradford, auctioneer.—*Wm. Vith*, Yeadon, near Leeds, linendraper.—*Edward Dobson*, South Otterington, near Thirak, builder.—*John Watkin*, Leeds, greengrocer.—*Elis. Jenkinson*, Guisborough, licensed hawk.—*Charles Wood*, Warmsworth, near Doncaster, farmer.—*Richard Wood*, Warmsworth, near Doncaster, out of business.—*Henry Rogers*, Dixon, Sheffield, licensed victualler.—*James Stephenson*, Gildersome, near Leeds, coal miner.—*M. West*, Sheffield, shopkeeper.—*Chas. Bowman*, Scruton, near Bedale, timber merchant.—*Henry Bullock*, East Keswick, near Wetherby, farmer's servant.—*James Kerr*, Holbeck, near Leeds, medical student.—*John Shaw*, Dobcross, Saddleworth, grocer.—*Joseph Thompson*, Barkston Ash, near Tadcaster, out of business.—*George Nichols*, Northgate, Wakefield, assistant bookseller.—*John Wild*, Huddersfield, hotel keeper.—*Wm. Armistead*, Crookes Moor, near Sheffield, out of business.—*Hugh Gill*, Bradford, bailiff's follower.—*Hannah Sugden*, Tong, near Bradford, out of business.—*Wm. England*, Leeds, butcher.—*Joseph Gledhill*, Leeds, beer-house keeper.—*Jos. Hodson*, Scarborough, out of business.

INSOLVENT DEBTOR'S DIVIDEND.

Thomas Brasted, Suffolk-street, Darling-road, Dog-row, Bethnal-green, Middlesex, builder, July 12, Randall's, 14, Tokenhouse-yard, City: 5s. 3½d. in the pound.

MASTERS IN CHANCERY.—The Lords Commissioners for the custody of the Great Seal have appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—*William Pain Beecham* the younger, of Hawkhurst, Kent; *John Hester*, of Oxford.

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The Jurist

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JULY 20, 1850.

PRICE 1s.

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LONDON, JULY 20, 1850.

THE state of our law with regard to granting new trials is singularly anomalous. A very slight acquaintance with *Nisi Prius* business, or a cursory glance at any current number of the Reports, will supply instances where the presiding judge has either incorrectly laid down the law, omitted to draw the attention of the jury to the proper points of the case, or otherwise misdirected them in some material particular. If these miscarriages take place in civil cases, our law subjects all such hasty decisions to the supervision of a full Court. But in criminal cases, subject to some exceptions, the practice is quite otherwise. It would appear, indeed, from a valuable text-book, (2 Russ. on Cr. 725, 726), that the ruling of the judge in a criminal case cannot be reviewed at all after verdict of acquittal, either by motion for a new trial, or on a court of error upon a bill of exceptions; not in error upon a bill of exceptions, because the stat. 13 Edw. 1, c. 31, which gives that remedy, does not, according to the better opinion, apply to criminal cases. But the practice as to new trials rests entirely in the discretion of the Court, and the authorities cited in support of the position, that a new trial is never grantable in a criminal proceeding after verdict of not guilty, not even for the misdirection of the judge, seem to us to be so far from settling the law definitively, that we have thought it may be useful to bring under the notice of our readers some of the older authorities.

It must be first observed, that there is a wide distinction on this subject between cases of felony and cases of misdemeanour; and inasmuch as the law in cases of felony seems perfectly settled, and as an infringement of civil rights is by no means unfrequently

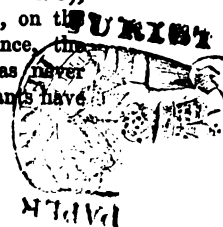
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dealt with by indictment for a misdemeanour, we propose to confine our observations to that class of cases only.

And we may also here observe, that the authorities do not furnish any ground of reason for such an anomalous state of the law, as that the Crown shall in no case have the liberty of moving for a new trial after verdict of not guilty, although the defendant may, after conviction in cases of misdemeanour. At first sight, this denial to the Crown of the same privilege which is accorded to a prisoner, appears to proceed very naturally from the well-established maxim, that no one shall be put a second time in jeopardy for the same offence; and it must be admitted that this appears satisfactory where the case has been properly submitted to a jury on its merits, whatever verdict they may return. But it is obvious that it is a very insufficient reason for refusing a new trial in those cases where the jury have been misdirected by the judge, or where the verdict of not guilty has proceeded on any other mistake of the Court, in improperly admitting or rejecting important evidence; for if, by reason of a mistake in law on the part of the Court, the defendant escapes a conviction, he can no more be said to have been in jeopardy than a person who has been arraigned and convicted upon an indictment insufficient in law; in which case it is clear, that, when the judgment has been reversed in a court of error, he may be indicted again for the same offence. (*Reg. v. Drury*, 18 L. J., M. C., 189).

In one of the oldest cases, *Res v. Bear*, (2 Salk. 646; S. C., 1 Ld. Raym. 414, decided in 9 Will. 3), where a motion was made for a new trial, on the ground that the verdict was against evidence, the Court said, that "anciently a new trial was never granted in criminal cases, where the defendant's have



been acquitted. Latterly, where it has been a verdict obtained by fraud or practice, as stealing away witnesses, &c., it has been done, but never yet was done merely upon the reason that the verdict was against evidence."

And even this shews a more liberal spirit towards prosecutors than existed in 15 Car. 2, as it appears, from the report of *Rex v. Read*, (1 Lev. 9), that a new trial was not then granted after verdict for the defendant, through fraud or practice, unless an information had first been brought, and the parties convicted of such fraud; although Wyndham, J., was strongly of opinion that the new trial should have been at once granted. Then we come to the case of *Rex v. Silvertown*, (1 Wils. 298), decided in 24 Geo. 2—"an indictment for not repairing a highway; verdict, not guilty; motion made for a new trial, on the ground of the misdirection of the judge. Sed per Curiam.—This is a criminal case, and new trials are never allowed where the defendant is acquitted in a criminal case; so also it is in qui tams, and informations in the nature of quo warrantos."

This case, however, has long ceased to be law, so far as it concerns qui tam actions, and informations in the nature of quo warrantos. With respect to the former, see *Wilson v. Rastall* (4 T. R. 753) and *Calcraft v. Gibbs*, (5 T. R. 19), in both which cases a new trial was granted for the misdirection of the judge, after verdict for the defendant, although it is never granted on the ground that the verdict is against evidence. (*Brook v. Middleton*, 10 East, 268). And Lord Kenyon, C. J., in *Calcraft v. Gibbs*, said—"Where there is any ground of objection to the law delivered by the judge, on which the verdict has proceeded, if such objection is well founded, it is immaterial what the nature of the cause is. The application for a new trial is a direct appeal to the justice and laws of the country, and cannot be tried and disposed of by any other rule." And a quo warranto information, we find, from *Rex v. Francis*, (2 T. R. 484), had then, of late years, been considered in the nature of a civil proceeding, and a new trial was accordingly in that case granted, because the verdict for the defendant was against the weight of evidence. So that the only value of *Rex v. Silvertown*, as an authority, is on the exact point that was there in issue; and with great deference it is submitted, that the same enlightened administration of justice which has rendered one part of the report of that case obsolete, will, at no distant period, modify in a great measure the other part, and at least allow a new trial to be had in all those cases of misdeemeanour where the first verdict for the defendant has proceeded on some mistake of the law.

Lord Ellenborough, C. J., in refusing the rule for a new trial in *Rex v. Reynell*, (6 East, 315), an indictment for non-repair of a churchyard fence, said, "It is clear, you may indict the defendant again if the fences have continued out of repair since the last indictment; and that is much better than for us, in a case of such minor consequence, to make a precedent of so much importance, which may affect other cases of misdeemeanours." And in *Rex v. Mann* (4 Mau. & S. 337) the same learned judge said, "The general rule is, that we do not grant a new trial upon an indictment for a misdeemeanour when a verdict has passed for the defendant on the merits." And in *Rex v. The Inhabitants*

of *Burton*, (5 Mau. & S. 392), he again said, "The Court did not think it proper to break into the general rule, on the suggestion that the prosecution was merely intended to determine a civil right, inasmuch as the right in that case was not bound by the verdict." These were all motions, it should be observed, in which the motion for a new trial was made on the ground that the verdict was against evidence; and the Court, so far from taking their stand on the immutability of the rule that a new trial was never grantable in criminal proceedings, seeks in each case some excuse for their breaking in upon it.

Although the authorities above mentioned apply only to cases where a verdict has passed for the defendant, against the weight of evidence, yet in *Rex v. Coke and Jacob*, (1 Stark. 516), on counsel suggesting that the Court might grant a new trial for the misdirection of the judge, Lord Ellenborough said, he did not know any such distinction; and no motion appears to have been made to the full Court for a new trial on account of the alleged misdirection; but this, in all probability, arose from counsel, on further consideration, being satisfied that the learned judge's direction to the jury was, in fact, quite right in point of law. And it should further be remarked, that a judge, sitting at Nisi Prius, would not be at all disposed to recognise a novel and subtle distinction never before mooted, especially when that distinction would go far to repeal an antiquated rule of law then supposed to be in existence, and which had as yet been only so modified as to meet the more pressing hardships that had been urged upon the attention of the Court.

No case, indeed, came before the Court in Banc, where the point was raised as to granting a new trial after acquittal for the misdirection of the judge, until *Rex v. Sutton*, (5 B. & Ad. 52), where a rule was granted to shew cause why the verdict for the defendant should not be set aside, and a new trial had, on the grounds, first, of misdirection; and, secondly, the improper rejection of evidence: and, after a learned argument on both sides, the Court again refused to grapple with the point now under discussion, and made a compromise, by suspending the judgment until a new indictment could be preferred, saying that they were not disposed at present to make the precedent of granting a new trial, but thought the precedent in *Rex v. Wandsworth* (1 B. & Al. 63) might very properly be followed, by suspending the judgment.

Unquestionably it is very unsatisfactory, although by no means an uncommon judicial mode of disposing of an important question, to evade the point as regularly as it is offered for decision; and more unsatisfactory still for a Court to say that at present it is not disposed to make so important a precedent—leaving it to be inferred, that by and by, when the Court is more fully convinced of the hardship and failure of justice which the want of such a precedent may entail, it may listen to an application for that purpose with a more favourable ear.

A strong argument, indeed, in favour of a new trial after verdict of acquittal, in cases of misdeemeanour, is derived from the numerous applications which have from time to time been made for them—from the evasive manner in which these applications have been met—and, finally, from the compromise which the Court has been driven into by suspending the judgment until a fresh indictment is preferred: thus, in effect, giving to the prosecutor almost all that he asks, though at a little greater cost, and perhaps somewhat of delay. The numerous motions, too, for these new trials, afford, we think, some evidence, if not of the opinion of the Profession as to what ought to be the rule in such cases, at all events of the hardship which the present practice works, as well as of the unsettled state of the law on the point.

RECENT CASES ON THE WINDING-UP ACTS,
1848 AND 1849.*Companies within the Statutes.*

THE Winding-up Amendment Act of 1849 will, doubtless, include many companies, associations, and partnerships not within the act of 1848; and probably the Courts will incline to give the new act in this respect a liberal construction. The question must in future be, what companies or partnerships are not, rather than what are, within these statutes. But it should be remembered that the Court has jurisdiction to determine in each case whether it is "necessary or expedient" to apply the powers of these statutes to the particular company. (*Fisher's case*, 3 De G. & S. 116). This discretion has been exercised in the case of a solvent company, which was, in form, within the act of 1848, but was not considered to be within its meaning. (*Troutbeck's case*, 1 Hall & T. 100). And also where a company was substantially at an end, and there were no outstanding liabilities nor assets, and the petitioner had received a "final" dividend, the Court refused to consider it within the act. (*Murrell's case*, 3 De G. & S. 4).

Petition.

It has been decided that a petition for the winding-up of a provisionally registered railway company may be presented by a scrip-holder who has not signed the subscription contract. (*Copper's case*, 3 De G. & S. 1). And a member of the managing committee of a similar company, who is not a shareholder, but has paid money on behalf of the company to its creditors, may likewise petition. (*Cooke's case*, Id. 148). But a company will not be charged with the costs of more than one petition under the act. (*Turner's case*, Id.) The Court will order a petitioner out of the jurisdiction to give security for costs. (*Latta's case*, Id. 186).

Contributories.

Many cases are reported in which, on various grounds, contributories have resisted their liability. The following summary of them will be found to include all the recent decisions on this important question:—Fraudulent misrepresentations in the prospectus or the advertisements of a company, to induce parties to take shares, are not a ground for a shareholder to repudiate his liability, unless he can shew that he was the only person deceived by them; for as between himself and other shareholders similarly imposed upon, there is clearly a right of contribution. This was decided in the case of one Parbury, who took shares in a provisionally registered company on the faith of its prospectus, which stated that the capital of the company was to be 3,000,000*l.*, in 120,000 shares of 25*l.* each, the deposit on which, to be immediately payable, was 1*l.* 7*s.* 6*d.* per share; whereas, in fact, not more than 60,000 shares were ever allotted, and only on 23,495 of these were deposits paid. (*Parbury's case*, *re The Direct London and Exeter Railway Company*, 3 De G. & S. 43). And, again, where the conditions of the contract specified on the back of the scrip certificates were not fulfilled by the company, and the contributory had been induced to take shares on these conditions, and by the misrepresentation of a clerk of the company as to the provisions of the company's future deed, the contributory was not exonerated. (*Sharpus's case*, *re The Universal Salvage Company*, Id. 49). So, where a shareholder in the same company, conceiving that the company had not fulfilled their part of the contract, voluntarily incurred a forfeiture of his share under one of the conditions, he was, nevertheless, liable. (*The Earl of Mansfield's case*, Id. 58). It seems to have been decided in the last two cases, that if a person agrees in writing to take shares upon certain con-

ditions in a company provisionally registered, and the same company afterwards becomes completely registered under 7 & 8 Vict. c. 110, the shareholder is thereupon converted into an absolute partner, free from the conditions.

Authority of Directors &c. to bind Company.

It should be observed, that the directors of a company cannot, any more than a clerk, be its agents to induce a party to join it by fraudulent misrepresentations. In such a case, therefore, the remedy of the deluded shareholder, if he has any, must be against the individual who deceived him. (*Dodgson's case*, 3 De G. & S. 85). With respect to forfeiture, though it seems that voluntary forfeiture, not accepted by the directors, as in the case above, will not absolve a contributory from liability, yet where such forfeiture is formally declared by the directors, and submitted to by the shareholder, the effect is to discharge him from all liability whatever, whether past, present, or future. (*Beresford's case*, *re Kollman's Railway Locomotive and Carriage Improvement Company*, Id. 175). So, the holder of preference shares cannot successfully contend that he is not a contributory, because the issue of such shares was illegal. (*Hitchcock's case*, *re The Vale of Neath and South Wales Brewery Company*, Id. 92). But where new shares, illegally issued, were on that ground called in by the company's acting manager and director, the holder of them was thereby discharged from his liability. (*Pim's case*, *re The St. George's Steam-packet Company*, Id. 18).

A contributory does not relieve himself from any part of his liability by a sale of his shares to the directors of the company, when they have no authority to purchase. As to what gives such authority, it is evident, when the company is a partnership, the directors cannot make such a purchase without the consent of all the partners; and if the power is not given them by the company's deed of settlement, which would bind all the partners, an actual consent of every partner must be shewn.

In *Morgan's case* a general meeting was called, according to the provisions of the company's deed, in all respects, except that notice of a resolution then passed, empowering the directors to purchase shares, was not previously given to the proprietors, and the deed required notice to be so given of the "specific object or objects" of the meeting. The Lord Chancellor, reversing the decision of Knight Bruce, V. C., held, that such a meeting did not sufficiently represent the shareholders to bind them, by acquiescence, to a purchase of shares under the resolution, unless it could be shewn that, in fact, every shareholder was actually present.

However, if, in that case, a shareholder actually present, and who was privy and assented to the purchase, had called upon a vendor of shares to the company, under the authority of the resolution, for contribution to a liability incurred by the company subsequently to such sale, the Lord Chancellor intimated that the vendor of shares would have some equity against the applying shareholder, to resist such an application from him individually. (*Re The Vale of Neath and South Wales Brewery Company*, *ex parte Morgan*, 1 Mac. & G. 225).

Where shares in the same company were sold to a director, apparently for himself, but in reality for the company, the shareholder selling, being proved cognisant of the fact, was not discharged from his liability. (*Richmond's Executor's case*, 3 De G. & S. 96).

But a shareholder in the same company who had sold to a director, believing him to be a bona fide purchaser for his own benefit, was exonerated as from the time of the sale. (*Hollway's case*, 1 De G. & S. 777).

Of course, where the purchase by the directors is authorised by the company's deed, the vendor is discharged

from liability from the time of the sale. (*White's case*, 3 De G. & S. 157).

But though the directors have no power to apply the funds of the company to the purchase of shares, they may bind the company, by an agreement with a shareholder, that he shall not be liable to any of the losses of the company. (*Woodfall's case*, re *The Universal Salvage Company*, Id. 63).

Several cases have occurred in which parties have become shareholders or partners, with an understanding that they were not to be liable to the losses of the company or partnership. It seems that such an arrangement will be valid, if entered into without any fraudulent purpose on the part of the shareholder, and with persons competent to bind the company, but not otherwise.

In one of these cases the manager of a joint-stock banking company induced a friend to allow shares to be placed in his name, and to sign the company's deed as a personal favour, promising on behalf of the company to indemnify him against all loss, and the shares were to remain the company's property. Subsequently they were retransferred to the company. The holder never paid or received anything in respect of the shares, nor was his name included in any account or return under 7 Geo. 4, c. 46, as a member of the company, nor registered as such at the Stamp-office; and the arrangement with him was approved by the directors. Nevertheless, he was held to be a contributory, the Vice-Chancellor looking upon the whole transaction as a device to induce other parties to take shares, by representing the individual whose interest was in question as a bona fide shareholder. (*Davidson's case*, re *The St. Marylebone Banking Company*, Id. 21).

In another case the proprietor of a newspaper was a creditor of a company, and received shares therein, as payment of the company's debt to him. It was distinctly understood between him and the company's secretary and chairman, that he was not to incur any liability, nor to be called on to sign the deed. He received the scrip, and subsequently sold it at a small premium. The Vice-Chancellor said that the shareholder had contracted with those who might be considered with propriety as representing the whole company, and that he was under no liability. (*Woodfall's case*, re *The Universal Salvage Company*, Id. 63).

In another case a person consented to be named a provisional committeeman, but never attended any meetings, or acted in any way. Twenty-five shares were allotted to him as a qualification, but he never accepted them, nor paid any deposit. The Vice-Chancellor of England decided that he was a contributory. (*Cottle's case*, re *The Wolverhampton, Chester, and Birkenhead Junction Railway Company*, 14 Jur., part 1, p. 453*).

The sale by a shareholder of his shares to a third party transfers, *prima facie*, the liability, after the time of the sale, to the purchaser, but does not affect the liability of the original shareholder up to that time, unless by express agreement. Thus, the executors of a shareholder sold his shares to S., who paid the full purchase-money, and signed a written contract for the purchase. Five of the purchased shares were assigned to the purchaser by deed, and the whole were transferred to him in the company's books, and the company formally accepted the purchaser as a shareholder. He was placed on the list as a contributory from the time of the purchase, his liability being limited to that period by a clause in the company's deed. (*Sanderson's case*, re *The North of England Banking Company*, 3 De G. & S. 68).

* This case was reversed by the Lords Commissioners on the 15th instant. (See also *Beasley's case*, 14 Jur., part 1, p. 587; *Hole's case*, Id. 588).

However, the covenants in the deed, by which the five shares are assigned, may be of such a nature as to throw the entire liability, both past and present, in respect of all the shares sold, upon the purchaser; for the whole contract of sale is, in such a case, governed by the terms of the deed of transfer of the five shares. (*Dodgson's case*, re *The North of England Banking Company*, Id. 85).

Brokers who held shares as securities for the debts of different shareholders, with the cognisance of the directors, and who exchanged these shares, when called in, for others, in their own names, were placed on the list of contributories as absolute owners. (*Price and Brown's case*, re *The Patent Elastic Pavement and Kamptulicon Company*, Id. 146).

Where a man marries a woman who is a contributory, it seems the liability becomes joint, and both should be named contributories, so that it may survive in case of the death of either of them. (*Burkiss's case*, re *The North of England Joint-stock Banking Company*, Id. 18; *Sadler's case*, Id. 36).

So, two trustees, into whose names shares have been transferred, are only liable jointly. (*Pim's case*, Id. 11).

Shares, it seems, may almost be thrust upon a person, so as to make him a contributory; at least, one who submits to become a shareholder, without considering or being aware of his possible liability to loss, will not on that ground alone be excluded.

In *Macguire's case*, a father transferred to his son, without his knowledge and without consideration, two shares in a steam-packet company, to enable the son to take advantage of a rule which gave to shareholders a free passage in the company's vessels. The passage-ticket used by the son named him a proprietor, and also the counterfoil thereof, which he signed for each voyage; but he never paid or received anything in respect of the two shares. He was held to be a proprietor, partner, and contributory. (*Re The St. George's Steam-packet Company*, Id. 31).

In a similar case, where the transferee was aware of the transfer, but was a minor, and on coming of age repudiated the transaction, he was of course not liable. (*Litchfield's case*, Id. 141).

Trustees, into whose names shares have been transferred without their knowledge, are liable in that character, if they accept the trust. (*Pim's case*, Id. 11).

But not a trustee to whom there was no actual transfer. (*Hall's case*, 1 Mac. & G. 307).

A general disregard of the company's deed may amount to a waiver of its provisions as between the shareholders. (*White's case*, 3 De G. & S. 157).

Liability to contribute, with other shareholders, to the losses of a company, is independent of liability to the company's creditors. (*Dodgson's case*, Id. 90).

Monies borrowed from a provisionally registered railway company by its sharebrokers, who were also shareholders, and had signed the company's deed, to enable them to complete a large purchase of shares then in the market, and for which monies they afterwards deposited these shares and some of their original shares as a security, were not due from them as members or contributories of the company, so as to authorise a summary order for them to repay, under sect. 66 of the act of 1848. (*Cow's case*, Id. 180). This decision was affirmed by Lord Truro on the 18th instant.

E. E. K.

MASTER IN CHANCERY.—The Lords Commissioners for the custody of the Great Seal have appointed James Feltham, Gent., of Hingham, Norfolk, to be a Master Extraordinary in the High Court of Chancery.

Court Papers.

EQUITY SITTINGS, AFTER TRINITY TERM,
Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at the Rolls.

Wednesday... July 17 Motions.

Thursday 18

Friday 19

Saturday 20

Monday 22

Tuesday 23

Wednesday 24

Thursday 25

Friday 26

Saturday 27

Monday 29

Tuesday 30

Wednesday 31 Motions.

Thursday ... Aug. 1 Petitions in General Paper.

Consent Causes, Consent Petitions, Short Causes, and Claims, on Saturday the 20th, and Saturday the 27th instant, at the sitting of the Court.

Pleas, Demurrers, Causes, Further Directions, and Exceptions.

London Gazette.

TUESDAY, JULY 16.

BANKRUPTS.

WILLIAM MINTER WOOD, Dover, Kent, hosier and draper, July 25 at half-past 12, and Aug. 29 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Reed & Co., 59, Friday-street, Cheapside.—Petition dated July 12.

HENRY HART DAVIS, Doddington-lodge, Battersea, Surrey, builder, dealer and chapman, July 22 at half-past 1, and Aug. 30 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Hewitt, 6, Nicholas-lane.—Petition dated July 5.

WILLIAM DAYMENT, Christian-st., St. George-in-the-East, Middlesex, tailor, dealer and chapman, July 25 at 12, and Aug. 29 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Dolby, 15, Monument-chambers, Fish-street-hill.—Petition dated July 1.

GEORGE KNIGHT, Worthing, Sussex, July 27 at half-past 12, and Aug. 31 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Butt & Worsley, Ryde, Isle of Wight; Rhodes & Co., 63, Chancery-lane.—Petition dated July 6.

JOHN VANDERSLUYSE SCANTLEBURY, Conduit-st. East, Paddington, Middlesex, carpenter, builder, dealer and chapman, July 27 and Aug. 31 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Vaughan, 69, Lincoln's-inn-fields.—Petition dated July 12.

THOMAS DALTON and THOMAS EDWARDS, Birmingham, ironfounders and engineers, July 24 and Aug. 21 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Tyndall & Son, Birmingham.—Petition dated July 8.

SAMUEL WILKES, Birmingham, clock-dial maker and factor, July 22 and Aug. 19 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Lowe, Birmingham.—Petition dated May 8.

JOHN WELCH, Ashby-de-la-Zouch, Leicestershire, draper, dealer and chapman, Aug. 2 at 10, and Aug. 30 at 12, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Dewes, Ashby-de-la-Zouch; Hodgson, Birmingham; Parker & Co., 17, Bedford-row, London.—Petition dated July 11.

GEORGE COLSTON BAYLIS, Cardiff, Glamorganshire, dealer in flour, potatoes, and salt, dealer and chapman, July 30 and Aug. 27 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Bird, Cardiff.—Petition filed July 12.

THOMAS WILLIAMS, Trowbridge, Wiltshire, auctioneer, July 29 and Aug. 26 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Abbot, Bristol.—Petition filed July 11.

SAMUEL NICHOLSON, York, trader, July 29 and Aug. 16 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Paterson, Liverpool; Bulmer, Leeds.—Petition dated July 11.

FRANCIS BLANCHARD and WILLIAM PASSMORE, Leeds, Yorkshire, tailors and drapers, dealers and chapmen, (and which said Francis Blanchard was formerly an assistant tailor in Leeds, Yorkshire, afterwards a tailor on his own account in the city of London, and then residing in Coleman-street, London, then of Leeds, Yorkshire, in partnership as a tailor with the said William Passmore, and is now an assistant tailor, in Oxford-st., and residing in Basinghall-st., London), Aug. 2 and 30 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sol. Upton, Leeds.—Petition dated June 27; filed July 1.

JOHN SCORAH, late of Pollington, Snaithe, but now of Pontefract, Yorkshire, (lately carrying on business at Pollington), seed merchant and cowkeeper, dealer and chapman, Aug. 2 and 30 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sol. Blackburn, Leeds.—Petition dated and filed July 11.

JOHN SHARROCK, Textoth-park, Lancashire, licensed victualler, dealer and chapman, July 29 and Aug. 19 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Roby, Liverpool; Gregory & Co., Bedford-row, London.—Petition filed July 15.

EDWARD ROBSON ARTHUR, North Shields, Northumberland, shipowner, July 24 at 11, and Aug. 28 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Leitch & Kewney, North Shields; Maples & Co., 6, Frederick-place, Old Jewry, London.—Petition filed July 11.

MEETINGS.

Anthony E. Corvan, Hampstead-road and Lisson-grove, Middlesex, baker, July 27 at 12, Court of Bankruptcy, London, last ex.—Joseph Slater, Friday-st., Cheapside, London, warehouseman, Aug. 7 at 11, Court of Bankruptcy, London, div.—Jos. Wilson Brooke and Jos. Wilson, Liverpool, merchants, Aug. 6 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Richard Wilson, Kingston-upon-Hull, stonemason, Aug. 7 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—M. Milne, Manchester, grocer, Aug. 8 at 12, District Court of Bankruptcy, Manchester.—John Waring, Liverpool, draper, Aug. 7 at 11, District Court of Bankruptcy, Liverpool.—Thomas Smith, Liverpool, cheesemonger, Aug. 7 at 11, District Court of Bankruptcy, Liverpool.—Samuel Adams, Birmingham, gun manufacturer, Aug. 8 at 12, District Court of Bankruptcy, Birmingham.—Thomas Goode, Hereford, chemist, Aug. 10 at 11, District Court of Bankruptcy, Birmingham.—John Denton, Greaves Mill and Burwood, Stainland, Halifax, Yorkshire, silk spinner, Aug. 8 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Cornelius S. Smith, Louth, Lincolnshire, draper.—Fryd. J. Ablett, Merthyr Tydvil, Glamorganshire, draper.—Nelson John Holloway, Minorics, London, clock manufacturer.—T. Goodwin, Pakenham, Suffolk, brewer.—James Honiball, Ingram-court, Fenchurch-st., London, and Dunston, Wickham, Durham, anchor manufacturer.—Edward Archer, Clare-st., Clare-market, Middlesex, baker.—Wm. Wallace, Sunderland, Durham, butcher.

FIAT ANNULLED.

Wm. Branscombe, Blandford, Dorsetshire, common carrier. PARTNERSHIP DISSOLVED.

Wm. Joynton and Richard Gibson, Manchester, attornies, solicitors, and money scriveners.

SCOTCH SEQUESTRATIONS.

James Brand, New Dundivan, Old Monkland, contractor.—Andrew Bennett, deceased, Friarton, near Perth, farmer.—George Miller, Edinburgh, engraver.—Francis Salmon, Newton, Forthringham, cattle dealer.—Robert Hamilton, Hillhead, Baldernock, Stirlingshire, coal merchant.—W. & A. Candlish, Doon-park and Townhead, cattle dealers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John O'Connell, Cardiff, Glamorganshire, grocer, July 30

at 10, County Court of Glamorganshire, at Cardiff.—*Henry Rees*, Gloucester, out of employ, Sept. 9 at 10, County Court of Gloucestershire, at Gloucester.—*William Morgan*, Llandinam, Montgomeryshire, butcher, July 24 at 10, County Court of Montgomeryshire, at Newtown.—*William Sands*, North Elmham, Norfolk, grocer, Aug. 8 at 10, County Court of Norfolk, at East Dereham.—*Robert Scott*, Dorchester, Dorsetshire, butcher, Aug. 15 at 11, County Court of Dorsetshire, at Dorchester.—*William Storey*, Sheffield, Yorkshire, draper, Aug. 7 at 10, County Court of Yorkshire, at Sheffield.—*Henry Norton*, Sheffield, Yorkshire, hairdresser, Aug. 7 at 10, County Court of Yorkshire, at Sheffield.—*Joseph Waddington*, Bradford, Yorkshire, beer-house keeper, July 23 at 11, County Court of Yorkshire, at Bradford.—*Joseph Westbrook*, Sheffield, Yorkshire, silver plater, Aug. 7 at 10, County Court of Yorkshire, at Sheffield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 30 at 11, before Mr. Commissioner HARRIS.

John Court, Edward-street, Hampstead-road, Middlesex, painter.—*William Thomas Muschell*, New Weston-street, Bermondsey, Surrey, clerk to a potato salesman.—*Joseph Bertie*, High-street, Hoxton-town, and Brick-lane, Shoreditch, Middlesex, lodging-house keeper.—*Thomas Moore*, Waterloo-terrace, Commercial-road East, Middlesex, carpenter.—*William Hearn*, Watford, Hertfordshire, stationer.

July 30 at 11, before Mr. Commissioner PHILLIPS.

Henry Mortlock, Alfred-place, Waterloo-road, Lambeth, Surrey, out of business.

July 31 at 11, before the CHIEF COMMISSIONER.

Fredrick Sanderson, Wilton-road, Fimlico, Middlesex, coachmaker.—*George Purnell the elder*, Curtain-road, Shoreditch, Middlesex, out of business.—*William Shield*, Park-street, Camden-town, Middlesex, surgeon.—*Thomas Joseph Terrell*, Ann-street, Grandy-street, Bromley, Middlesex, out of employ.—*Patrick Manning*, Queen-street, Fimlico, Middlesex, beer-shop keeper.

July 31 at 10, before Mr. Commissioner LAW.

Henry Haslam, Goswell-street, Middlesex, confectioner.—*Joseph Moore Nathaniel Kibby*, Southampton-street, Pentonville, Middlesex, clerk in the office of the clerk of the peace for Middlesex.

July 31 at 11, before Mr. Commissioner PHILLIPS.

Thomas Davies, Great Earl-street, Seven-dials, St. Giles, Middlesex, licensed victualler.

Aug. 1 at 11, before the CHIEF COMMISSIONER.

Charles Abney Mount, Claremont-square, Pentonville, Middlesex, lieutenant in the 50th Queen's Own Regiment.—*Cornelius Field*, Devonshire-place, Green-lanes, Newington-green, Middlesex, clerk in a merchant's office.

Saturday, July 13.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

William John Johnson, Burnham-Westgate, Norfolk, coal dealer, No. 72,254 C.; *William Belding*, assignee.—*Charles Rogers*, Waynyrugen, Llanelly, Breconshire, carrier, No. 72,417 C.; *George Worrall Jones*, assignee.—*Walter Richards*, West Camel, near Somerton, Somersetshire, farmer, No. 72,181 C.; *Richard Henry Blake*, assignee.—*Edmund Thomas Clarkson*, West Stones Dale, Yorkshire, lead miner, No. 72,458 C.; *Matthew Horaley*, assignee.—*James Thomson Wilson*, Coborn-street, Bow-road, Middlesex, manager to a chemical manufacturer, No. 61,246 T.; *Odoardo Villani*, assignee.—*John Wood*, Woodford-row, Woodford, Essex, carpenter, No. 61,520 T.; *William Winfield*, assignee.

Saturday, July 13.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Christopher Mudie, Hungerford-market, Middlesex, fish-monger: in the Debtors Prison for London and Middlesex.—*John P. Hammond*, Park-place, Lock's-fields, Walworth, Surrey, farmer: in the Gaol of Horsemonger-lane.—*William Doncaster*, Grove-terrace, Ealing, Middlesex, butcher: in the

Debtors Prison for London and Middlesex.—*H. Gardner*, New Charlton, Kent, tobaccoist: in the Debtors Prison for London and Middlesex.—*John Samuel Glover*, Mount-place, Peckham-rye, Surrey, job master: in the Debtors Prison for London and Middlesex.—*Wm. Bodley*, Haward-street, Nine Elms, Vauxhall, Surrey, carpenter: in the Gaol of Horsemonger-lane.—*John H. Cusfield*, Dean-st., Soho, Middlesex, comedian: in the Gaol of Horsemonger-lane.—*Henry Ris*, Peacock-terrace, Walworth-common, Surrey, merchant: in the Queen's Prison.—*W. G. Ballard*, Wellington-st., Newington-causeway, Surrey, out of business: in the Gaol of Horsemonger-lane.—*Wm. Hopkinson*, Bay-hall, near Hattersfield, Yorkshire, wood turner: in the Gaol of York.—*W. Manton*, Alvechurch, Worcestershire, police constable: in the Gaol of Coventry.—*P. Cale*, Liverpool, labourer at the gas works: in the Gaol of Lancaster.—*Joseph Lander*, Wadnaby, Staffordshire, clerk to a coachsmith: in the Gaol of Stafford.—*John Owen*, Liverpool, furniture broker: in the Gaol of Lancaster.—*R. Pickering*, Birmingham, auctioneer: in the Gaol of Coventry.—*Joseph Sandford*, Winchcomb, Gloucestershire, attorney at law: in the Gaol of Gloucester.—*E. Pain*, Sollars Hope, Herefordshire, farmer: in the Gaol of Hereford.—*James Westhead*, Wigan, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*Wm. Eccle*, Preston, Lancashire, licensed victualler: in the Gaol of Lancaster.—*James Hilton*, Manchester, commission agent: in the Gaol of Lancaster.—*Daniel McIntyre*, Manchester, manufacturing chemist: in the Gaol of Lancaster.—*John Whipp*, Hulme, Manchester, butcher: in the Gaol of Lancaster.—*J. Poulsen*, Lower Brixham, Devonshire, coal merchant: in the Gaol of St. Thomas the Apostle.—*Anthony Binks*, Blackwellgate, Durham, watchmaker: in the Gaol of Durham.—*J. Francis*, Newhouse Farm, Saint Dogwells, Pembrokeshire, farmer: in the Gaol of Haverfordwest.—*Ebenezer Peckham*, Sunderland-near-the-Sea, Durham, marine artist: in the Gaol of Durham.—*J. Rowe*, Polperro, Tolland, Cornwall, farmer: in the Gaol of Bodmin.—*C. A. Williams*, Falmouth, Cornwall, commission agent: in the Gaol of Bodmin.—*T. Fielding*, Blackburn, Lancashire, joiner: in the Gaol of Lancaster.—*Thos. Handley*, Manchester, fruit dealer: in the Gaol of Lancaster.—*Ebenezer Kirkpatrick*, Fincham, near Downham Market, Norfolk, assistant to a tea dealer: in the Gaol of Norwich.—*Nathaniel Mason*, Blackburn, Lancashire, linen draper: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 30 at 11, before Mr. Commissioner HARRIS.

Eliza Patterson, Gower-street, Bedford-square, Middlesex, lodging-house keeper.—*Henry Puddick*, Berkeley-street, Red Lion-sq., Clerkenwell, Middlesex, blacksmith.—*Gw. Miner*, Marlborough-place, Lambeth, Surrey, commission agent.

July 30 at 11, before Mr. Commissioner PHILLIPS.

J. Prest, New-street, Bishopsgate-street, London, cabinet-maker.—*H. M. Moore*, Dean-street, Soho, Middlesex, dyer.

July 31 at 10, before Mr. Commissioner LAW.

Robt. Howell, Chancery-lane, Fleet-st., London, plumber.

July 31 at 11, before Mr. Commissioner PHILLIPS.

D. Mendes, Middlesex-st., Aldgate, London, harness-maker.

Aug. 1 at 11, before the CHIEF COMMISSIONER.

John Richards, King's-road, Gray's-inn, Middlesex, attorney at law.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at the Shire Hall, NORWICH CASTLE, Aug. 3 at 10.

James Marshall, Bacton, near North Walsham, carpenter.

At the County Court of Kent, at KENT, July 30 at 10.

Samuel Bayly, Folkestone, grocer.

At the County Court of Glamorganshire, at CARDIFF, July 30.

David Clement, Neath, saddler.

INSOLVENT DEBTOR'S DIVIDENDS.

James Bishop, Ramsey, Huntingdonshire, labourer, at Lark's, Ramsey: 8s. 8d. in the pound.

MEETING.

George Dodd, Guilden Sutton, Cheshire, cowkeeper, Aug. 6 at 12, Husband's, Chester, sp. aff.

FRIDAY, JULY 19.

BANKRUPTS.

THOMAS DYSON, Hardinge-terrace, Albert-st., Newington, Surrey, railway contractor and builder, (lately carrying on business upon a line of railway running from Market Harborough to Husband's Bosworth, Leicestershire, and Rugby, Warwickshire), Aug. 2 and Sept. 6 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Rixon & Son, King William-street, City.—Petition dated July 13.

GILBERT FINLAY GIRDWOOD, Maids-hill, Middlesex, chemist and druggist, general practitioner, dealer and chapman, July 26 at 12, and Aug. 29 at half-past 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Lawrance & Plews, Old Jewry.—Petition dated July 18.

GEORGE SHEPHEARD, Modbury, Devonshire, linen-draper, dealer and chapman, July 30 and Aug. 27 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Savery, Modbury; Bishop & Pitts, Exeter.—Petition filed July 11.

TIMOTHY BOURNE BOURNE, Liverpool, cotton broker, (lately carrying on business under the style or firm of T. B. Bourne & Co.), July 26 and Aug. 29 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Norris, Liverpool.—Petition filed July 16.

MEETINGS.

Edward Whalley, Kinggate-street, High Holborn, Middlesex, clothworker, July 31 at 11, Court of Bankruptcy, London, last ex.—*William Breed*, Amersham-common, near Amersham, Buckinghamshire, dealer in sheep, July 31 at 12, Court of Bankruptcy, London, last ex.—*Richard Stone*, New Oxford-st., Middlesex, tallowchandler, Aug. 3 at 12, Court of Bankruptcy, London, last ex.—*James Wm. English*, Poultry, London, chemist, Aug. 8 at half-past 1, Court of Bankruptcy, London, aud. ac.; Aug. 9 at half-past 12, div.—*Thomas Jeyes Edwards*, King-street, St. George, Bloomsbury, Middlesex, dressing-case maker, Aug. 8 at 11, Court of Bankruptcy, London, aud. ac.; Aug. 9 at half-past 12, div.—*Robt. D'Oyley*, Moreton, Gloucestershire, scrivener, Aug. 2 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Juliet Annie Winder*, Pendleton, Lancashire, draper, Aug. 2 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Joseph Taylor*, Bury, Lancashire, grocer, July 30 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*David Blackburn*, Thomas Pickles, David Crabtree, and William Blackburn, Halifax, Yorkshire, cotton spinners, July 30 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Philemon A. Morely*, Great Bridge, Staffordshire, iron manufacturer, Aug. 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Charles Cooper*, Willenhall, Staffordshire, grocer, Aug. 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Aug. 21 at 12, fin. div.—*Henry G. Rideout*, Nottingham, glove manufacturer, Aug. 2 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Daniel Smith* and *Frederick D. Smith*, Bevor-lane, Hammersmith, Middlesex, wholesale drysalers, Aug. 9 at 1, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Samuel Hogg and *Henry James Hogg*, Landport, Portsea, Hampshire, auctioneers, Aug. 10 at 11, Court of Bankruptcy, London.—*Claron Scarfe*, Hall-street, City-road, Middlesex, timber merchant, Aug. 10 at 1, Court of Bankruptcy, London.—*David Stead*, George-st., Adelphi, Middlesex, patentee of wooden paving, Aug. 7 at 1, Court of Bankruptcy, London.—*Friend Westover*, Lewisham, Kent, cheesemonger, Aug. 10 at 2, Court of Bankruptcy, London.—*Wm. Higgs*, Wolverhampton, Staffordshire, iron dealer, Aug. 20 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Charles Henry Swann, Sandford, John Swann, Wolvercote, and *William Swann*, Ensham, Oxfordshire, paper-makers.—*William Roberts*, Burnham, Buckinghamshire, apothecary.—*Edward Bell*, Lambeth-walk, Surrey, grocer.—*John Darby*, Dorset-mews, Dorset-square, Middlesex, horse dealer.—*Thomas Collingwood*, Nuneham Courtney, Oxfordshire, innkeeper.—*John Brown*, Bristol, builder.—*Philippe Sanger*, *Edward Evans*, and *Solomon Cross*, Birmingham, manufacturers of crown glass.—*George Geary Mason*, Cinder-

hill, Ringley, Lancashire, cotton spinner.—*Alexander Brown* and *William Todd*, Liverpool, provision merchants.

PARTNERSHIP DISSOLVED.

James Jay and *Joseph Robinson*, Hereford, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Alexander Brown Glenday, Dundee, merchant.—*William Reallie Logan*, Glasgow, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Robinson, Ward's Fold, Latchford, near Warrington, Cheshire, stone dealer, Aug. 1 at 10, County Court of Lancashire, at Warrington.—*John William Beck*, Worcester, baker, Aug. 14 at 10, County Court of Worcestershire, at Worcester.—*James Maxwell Cornson*, Manchester, counter-man to a tea dealer, July 26 at 1, County Court of Lancashire, at Manchester.—*Thomas Wm. Arden*, Worcester, victualler, Aug. 14 at 10, County Court of Worcestershire, at Worcester.—*Charles Gallimore*, Birmingham, stud maker, July 27 at 11, County Court of Warwickshire, at Birmingham.—*William White*, Halesowen, Worcestershire, nail dealer, Aug. 19 at 10, County Court of Worcestershire, at Stourbridge.—*John Aston the elder*, Hay-green, near Stourbridge, Worcestershire, mine surveyor, Aug. 19 at 10, County Court of Worcestershire, at Stourbridge.—*James Pearson*, Gosty-bank, near Kingswinford, Staffordshire, in no business, Aug. 19 at 10, County Court of Worcestershire, at Stourbridge.—*Edward Bent*, Brierly-hill, Staffordshire, labourer, Aug. 19 at 10, County Court of Worcestershire, at Stourbridge.—*Joseph Tomlinson*, Hanley Castle, Worcestershire, carpenter, Aug. 16 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Uriah Bailey*, Silkstone, Yorkshire, innkeeper, Aug. 9 at 12, County Court of Yorkshire, at Barnsley.—*Robert Lloyd*, Aspley, Staffordshire, cratemaker, Aug. 12 at 12, County Court of Shropshire, at Drayton.—*Charles Davis*, Birmingham, out of business, July 27 at 10, County Court of Warwickshire, at Birmingham.—*William Price*, Aston, Warwickshire, schoolmaster, July 27 at 11, County Court of Warwickshire, at Birmingham.—*John Davies the younger*, Coleshill, Warwickshire, surgeon, July 27 at 11, County Court of Warwickshire, at Birmingham.—*Henry Hunter*, Birmingham, hairdresser, July 27 at 11, County Court of Warwickshire, at Birmingham.—*Adolphus Frederick White*, New Ferry, Lower Bebington, Cheshire, schoolmaster, July 26 at 10, County Court of Cheshire, at Birkenhead.—*John Prosser*, Greenhill, St. Michael, Cwmdn, Brecknockshire, farmer, Aug. 21 at 10, County Court of Brecknockshire, at Crickhowell.—*John Baker*, Hay, Brecknockshire, brazier, Aug. 19 at 10, County Court of Brecknockshire, at Hay.—*John Denoon*, Glasbury, Radnorshire, plumber, Aug. 19 at 10, County Court of Brecknockshire, at Hay.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Aug. 2 at 11, before Mr. Commissioner HARRIS.

Thomas Hart, Tryon's-buildings, Mark-street, Hackney, Middlesex, butcher.—*John Harcourt Lee*, Alfred-place, Bedford-square, Middlesex, teacher of music.—*M. Cunningham*, Albert-street, Camden-town, general commission agent.

Aug. 3 at 11, before the CHIEF COMMISSIONER.

James Bristow Harradine, Winter-terrace, Horsemonger-lane, Surrey, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Aug. 2 at 11, before Mr. Commissioner LAW.

John Painter Hammond, Park-place, Lock's-fields, Walworth, Surrey, out of business.—*Stephen William Burridge*, Newtonton-causeway, Surrey, licensed victualler.—*Henry Sims*, Caroline-place, Trevor-square, Knightsbridge, Middlesex, milkman.—*Richard Henry Barker*, Arthur-st., Well-st., Hackney, Middlesex, bricklayer.—*James Puttock*, Sherborn-st., Blandford-square, Marylebone, and Welbeck-st., Cavendish-square, Middlesex, auctioneer.

at 10, County Court of Glamorganshire, at Cardiff.—*Henry Rees*, Gloucester, out of employ, Sept. 9 at 10, County Court of Gloucestershire, at Gloucester.—*William Morgan*, Llandinam, Montgomeryshire, butcher, July 24 at 10, County Court of Montgomeryshire, at Newtown.—*William Sands*, North Elmham, Norfolk, grocer, Aug. 8 at 10, County Court of Norfolk, at East Dereham.—*Robert Scott*, Dorchester, Dorsetshire, butcher, Aug. 15 at 11, County Court of Dorsetshire, at Dorchester.—*William Storey*, Sheffield, Yorkshire, draper, Aug. 7 at 10, County Court of Yorkshire, at Sheffield.—*Henry Norton*, Sheffield, Yorkshire, hairdresser, Aug. 7 at 10, County Court of Yorkshire, at Sheffield.—*Joseph Waddington*, Bradford, Yorkshire, beer-house keeper, July 23 at 11, County Court of Yorkshire, at Bradford.—*Joseph Westbrook*, Sheffield, Yorkshire, silver plater, Aug. 7 at 10, County Court of Yorkshire, at Sheffield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 30 at 11, before Mr. Commissioner HARRIS.

John Court, Edward-street, Hampstead-road, Middlesex, painter.—*William Thomas Muehll*, New Weston-street, Bermondsey, Surrey, clerk to a potato salesman.—*Joseph Bertin*, High-street, Hoxton-town, and Brick-lane, Shoreditch, Middlesex, lodging-house keeper.—*Thomas Moore*, Waterloo-terrace, Commercial-road East, Middlesex, carpenter.—*William Hearn*, Watford, Hertfordshire, stationer.

July 30 at 11, before Mr. Commissioner PHILLIPS.

Henry Mortlock, Alfred-place, Waterloo-road, Lambeth, Surrey, out of business.

July 31 at 11, before the CHIEF COMMISSIONER.

Frederick Sanderson, Wilton-road, Pimlico, Middlesex, coachmaker.—*George Purnell the elder*, Curtain-road, Shoreditch, Middlesex, out of business.—*William Shield*, Park-street, Camden-town, Middlesex, surgeon.—*Thomas Joseph Terrell*, Ann-street, Grandy-street, Bromley, Middlesex, out of employ.—*Patrick Manning*, Queen-street, Pimlico, Middlesex, beer-shop keeper.

July 31 at 10, before Mr. Commissioner LAW.

Henry Haslam, Goswell-street, Middlesex, confectioner.—*Joseph Moore Nathaniel Kilsby*, Southampton-street, Pentonville, Middlesex, clerk in the office of the clerk of the peace for Middlesex.

July 31 at 11, before Mr. Commissioner PHILLIPS.

Thomas Davies, Great Earl-street, Seven-dials, St. Giles, Middlesex, licensed victualler.

Aug. 1 at 11, before the CHIEF COMMISSIONER.

Charles Abney Mount, Claremont-square, Pentonville, Middlesex, lieutenant in the 50th Queen's Own Regiment.—*Cornelius Field*, Devonshire-place, Green-lanes, Newington-green, Middlesex, clerk in a merchant's office.

Saturday, July 13.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

William John Johnson, Burnham-Westgate, Norfolk, coal dealer, No. 72,254 C.; *William Belding*, assignee.—*Charles Rogers*, Waynyringam, Llanelli, Breconshire, carrier, No. 72,417 C.; *George Worral Jones*, assignee.—*Walter Richards*, West Camel, near Somerton, Somersetshire, farmer, No. 72,181 C.; *Richard Henry Blake*, assignee.—*Edmund Thomas Clarkson*, West Stones Dale, Yorkshire, lead miner, No. 72,458 C.; *Matthew Horaley*, assignee.—*James Thomson Wilson*, Coborn-street, Bow-road, Middlesex, manager to a chemical manufacturer, No. 61,246 T.; *Odoardo Villani*, assignee.—*John Wood*, Woodford-row, Woodford, Essex, carpenter, No. 61,520 T.; *William Winfield*, assignee.

Saturday, July 13.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Christopher Mudie, Hungerford-market, Middlesex, fish-monger: in the Debtors Prison for London and Middlesex.—*John P. Hammond*, Park-place, Lock's-fields, Walworth, Surrey, farmer: in the Gaol of Horse-monger-lane.—*William Doncaster*, Grove-terrace, Ealing, Middlesex, butcher: in the

Debtors Prison for London and Middlesex.—*H. Gardner*, New Charlton, Kent, tobacco-nist: in the Debtors Prison for London and Middlesex.—*John Samuel Glover*, Mount-place, Peckham-rye, Surrey, job master: in the Debtors Prison for London and Middlesex.—*Wm. Bodley*, Haward-street, Nine Elms, Vauxhall, Surrey, carpenter: in the Gaol of Horse-monger-lane.—*John H. Caulfield*, Dean-st., Soho, Middlesex, comedian: in the Gaol of Horse-monger-lane.—*Henry Ez*, Peacock-terrace, Walworth-common, Surrey, merchant: in the Queen's Prison.—*W. G. Bellard*, Wellington-st., Newington-causeway, Surrey, out of business: in the Gaol of Horse-monger-lane.—*Wm. Hopkinson*, Bay-hall, near Huddersfield, Yorkshire, wood turner: in the Gaol of York.—*W. Manton*, Alvechurch, Worcestershire, police constable: in the Gaol of Coventry.—*P. Cale*, Liverpool, labourer at the gas works: in the Gaol of Lancaster.—*Joseph Lander*, Woburnbury, Staffordshire, clerk to a coachsmith: in the Gaol of Stafford.—*John Owen*, Liverpool, furniture broker: in the Gaol of Lancaster.—*R. Pickering*, Birmingham, auctioneer: in the Gaol of Coventry.—*Joseph Sandford*, Winchomb, Gloucestershire, attorney at law: in the Gaol of Gloucester.—*E. Pain*, Sollars Hope, Herefordshire, farmer: in the Gaol of Hereford.—*James Westhead*, Wigan, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*Wm. Eccle*, Preston, Lancashire, licensed victualler: in the Gaol of Lancaster.—*James Hilton*, Manchester, commission agent: in the Gaol of Lancaster.—*Daniel McIntyre*, Manchester, manufacturing chemist: in the Gaol of Lancaster.—*John Whipp*, Hulme, Manchester, butcher: in the Gaol of Lancaster.—*J. Youlden*, Lower Brixham, Devonshire, coal merchant: in the Gaol of St. Thomas the Apostle.—*Anthony Binks*, Blackwellgate, Darlington, Durham, watchmaker: in the Gaol of Durham.—*J. Francis*, Newhouse Farm, Saint Dogwells, Pembrokeshire, farmer: in the Gaol of Haverfordwest.—*Ebenezer Pugh*, Sunderland-near-the-Sea, Durham, marine artist: in the Gaol of Durham.—*J. Rowe*, Folperro, Talland, Cornwall, farmer: in the Gaol of Bodmin.—*C. A. Williams*, Falmouth, Cornwall, commission agent: in the Gaol of Bodmin.—*T. Fielding*, Blackburn, Lancashire, joiner: in the Gaol of Lancaster.—*Thos. Handley*, Manchester, fruit dealer: in the Gaol of Lancaster.—*Ebenezer Kirkpatrick*, Fincham, near Dornham Market, Norfolk, assistant to a tea dealer: in the Gaol of Norwich.—*Nathaniel Mason*, Blackburn, Lancashire, linen draper: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 30 at 11, before Mr. Commissioner HARRIS.

Eliza Patterson, Gower-street, Bedford-square, Middlesex, lodging-house keeper.—*Henry Puddick*, Berkeley-street, Red Lion-sq., Clerkenwell, Middlesex, blacksmith.—*Geo. Miner*, Marlborough-place, Lambeth, Surrey, commission agent.

July 30 at 11, before Mr. Commissioner PHILLIPS.

J. Prest, New-street, Bishopsgate-street, London, cabinet-maker.—*H. Mc Moore*, Dean-street, Soho, Middlesex, dyer.

July 31 at 10, before Mr. Commissioner LAW.

Robt. Haswell, Chancery-lane, Fleet-st., London, plumber.

July 31 at 11, before Mr. Commissioner PHILLIPS.

D. Mendes, Middlesex-st., Aldgate, London, harness-maker.

Aug. 1 at 11, before the CHIEF COMMISSIONER.

John Richards, King's-road, Gray's-inn, Middlesex, attorney at law.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at the Shire Hall, NORWICH CASTLE, Aug. 3 at 10.

James Marshall, Bacton, near North Walsham, carpenter.

At the County Court of Kent, at KENT, July 30 at 10.

Samuel Bayly, Folkestone, grocer.

At the County Court of Glamorganshire, at CARDIFF, July 30.

David Clement, Neath, saddler.

INSOLVENT DEBTOR'S DIVIDENDS.

James Bishop, Ramsey, Huntingdonshire, labourer, & *Larks's*, Ramsey: 8s. 8d. in the pound.

MEETINGS.

George Dodd, Guilden Sutton, Cheshire, cowkeeper, Aug. 5 at 12, Husband's, Chester, sp. aff.

FRIDAY, JULY 19.

BANKRUPTS.

THOMAS DYSON, Hardinge-terrace, Albert-st., Newington, Surrey, railway contractor and builder, (lately carrying on business upon a line of railway running from Market Harborough to Husband's Bosworth, Leicestershire, and Rugby, Warwickshire), Aug. 2 and Sept. 6 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Rixon & Son, King William-street, City.—Petition dated July 13.

GILBERT FINLAY GIRDWOOD, Maids-hill, Middlesex, chemist and druggist, general practitioner, dealer and chapman, July 26 at 12, and Aug. 29 at half-past 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Lawrence & Flews, Old Jewry.—Petition dated July 18.

GEORGE SHEPHEARD, Modbury, Devonshire, linen-draper, dealer and chapman, July 30 and Aug. 27 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Savery, Modbury; Bishop & Pitts, Exeter.—Petition filed July 11.

TIMOTHY BOURNE BOURNE, Liverpool, cotton broker, (lately carrying on business under the style or firm of T. B. Bourne & Co.), July 26 and Aug. 29 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Norris, Liverpool.—Petition filed July 16.

MEETINGS.

Edward Whalley, Kinggate-street, High Holborn, Middlesex, clothworker, July 31 at 11, Court of Bankruptcy, London, last ex.—William Breed, Amersham-common, near Amersham, Buckinghamshire, dealer in sheep, July 31 at 12, Court of Bankruptcy, London, last ex.—Richard Stone, New Oxford-st., Middlesex, tallowchandler, Aug. 3 at 12, Court of Bankruptcy, London, last ex.—James Wm. English, Poultry, London, chemist, Aug. 8 at half-past 1, Court of Bankruptcy, London, aud. ac.; Aug. 9 at half-past 12, div.—Thomas Jeyes Edwards, King-street, St. George, Bloomsbury, Middlesex, dressing-case maker, Aug. 8 at 11, Court of Bankruptcy, London, aud. ac.; Aug. 9 at half-past 12, div.—Robt. D'Oyly, Moreton, Gloucestershire, scrivener, Aug. 2 at 11, District Court of Bankruptcy, Bristol, aud. ac.—Juliet Annie Winder, Pendleton, Lancashire, draper, Aug. 2 at 12, District Court of Bankruptcy, Manchester, aud. ac.—Joseph Taylor, Bury, Lancashire, grocer, July 30 at 12, District Court of Bankruptcy, Manchester, aud. ac.—David Blackburn, Thomas Pickles, David Crabtree, and William Blackburn, Halifax, Yorkshire, cotton spinners, July 30 at 11, District Court of Bankruptcy, Leeds, aud. ac.—Philemon A. Morely, Great Bridge, Staffordshire, iron manufacturer, Aug. 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—Charles Cooper, Willenhall, Staffordshire, grocer, Aug. 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Aug. 21 at 12, fin. div.—Henry G. Rideout, Nottingham, glove manufacturer, Aug. 2 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—Daniel Smith and Frederick D. Smith, Bevor-lane, Hammersmith, Middlesex, wholesale drysalters, Aug. 9 at 1, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Samuel Hogg and Henry James Hogg, Landport, Portsea, Hampshire, auctioneers, Aug. 10 at 11, Court of Bankruptcy, London.—Clason Scarfe, Hall-street, City-road, Middlesex, timber merchant, Aug. 10 at 1, Court of Bankruptcy, London.—David Stead, George-st., Adelphi, Middlesex, patentee of wooden paving, Aug. 7 at 1, Court of Bankruptcy, London.—Friend Westover, Lewisham, Kent, cheesemonger, Aug. 10 at 2, Court of Bankruptcy, London.—Wm. Higgs, Wolverhampton, Staffordshire, iron dealer, Aug. 20 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Charles Henry Swann, Sandford, John Swann, Wolvercote, and William Swann, Ensham, Oxfordshire, paper-makers.—William Roberts, Burnham, Buckinghamshire, apothecary.—Edward Bell, Lambeth-walk, Surrey, grocer.—John Darby, Dorset-mews, Dorset-square, Middlesex, horse dealer.—Thomas Collingwood, Nuneham Courtney, Oxfordshire, innkeeper.—John Brown, Bristol, builder.—Philippe Zanger, Edward Evans, and Solomon Cross, Birmingham, manufacturers of crown glass.—George Geary Mason, Cinder-

hill, Ringley, Lancashire, cotton spinner.—Alexander Brown and William Todd, Liverpool, provision merchants.

PARTNERSHIP DISSOLVED.

James Jay and Joseph Robinson, Hereford, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Alexander Brown Glenday, Dundee, merchant.—William Reallie Logan, Glasgow, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Robinson, Ward's Fold, Latchford, near Warrington, Cheshire, stone dealer, Aug. 1 at 10, County Court of Lancashire, at Warrington.—John William Beck, Worcester, baker, Aug. 14 at 10, County Court of Worcestershire, at Worcester.—James Maxwell Cornson, Manchester, counter-man to a tea dealer, July 26 at 1, County Court of Lancashire, at Manchester.—Thomas Wm. Arden, Worcester, victualler, Aug. 14 at 10, County Court of Worcestershire, at Worcester.—Charles Gallimore, Birmingham, stud maker, July 27 at 11, County Court of Warwickshire, at Birmingham.—William White, Halesowen, Worcestershire, nail dealer, Aug. 19 at 10, County Court of Worcestershire, at Stourbridge.—John Aston the elder, Hay-green, near Stourbridge, Worcestershire, mine surveyor, Aug. 19 at 10, County Court of Worcestershire, at Stourbridge.—James Pearson, Gosty-bank, near Kingswinford, Staffordshire, in no business, Aug. 19 at 10, County Court of Worcestershire, at Stourbridge.—Edward Bent, Brierly-hill, Staffordshire, labourer, Aug. 19 at 10, County Court of Worcestershire, at Stourbridge.—Joseph Tomlinson, Hanley Castle, Worcestershire, carpenter, Aug. 16 at 10, County Court of Worcestershire, at Upton-upon-Severn.—Uriah Bailey, Silkstone, Yorkshire, innkeeper, Aug. 9 at 12, County Court of Yorkshire, at Barnsley.—Robert Lloyd, Aspley, Staffordshire, cratemaker, Aug. 12 at 12, County Court of Shropshire, at Drayton.—Charles Davis, Birmingham, out of business, July 27 at 10, County Court of Warwickshire, at Birmingham.—William Price, Aston, Warwickshire, schoolmaster, July 27 at 11, County Court of Warwickshire, at Birmingham.—John Davies the younger, Coleshill, Warwickshire, surgeon, July 27 at 11, County Court of Warwickshire, at Birmingham.—Henry Hunter, Birmingham, hairdresser, July 27 at 11, County Court of Warwickshire, at Birmingham.—Adolphus Frederick White, New Ferry, Lower Bebington, Cheshire, schoolmaster, July 26 at 10, County Court of Cheshire, at Birkenhead.—John Prosser, Greenhill, St. Michael, Cwmdu, Brecknockshire, farmer, Aug. 21 at 10, County Court of Brecknockshire, at Crickhowell.—John Baker, Hay, Brecknockshire, braxier, Aug. 19 at 10, County Court of Brecknockshire, at Hay.—John Donovan, Glasbury, Radnorshire, plumber, Aug. 19 at 10, County Court of Brecknockshire, at Hay.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Aug. 2 at 11, before Mr. Commissioner HARRIS.

Thomas Hart, Tryon's-buildings, Mare-street, Hackney, Middlesex, butcher.—John Harcourt Lee, Alfred-place, Bedford-square, Middlesex, teacher of music.—M. Cuninghame, Albert-street, Camden-town, general commission agent.

Aug. 3 at 11, before the CHIEF COMMISSIONER.

James Bristow Harradine, Winter-terrace, Horsemonger-lane, Surrey, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Aug. 2 at 11, before Mr. Commissioner LAW.

John Painter Hammond, Park-place, Lock's-fields, Walworth, Surrey, out of business.—Stephen William Burridge, Newington-causeway, Surrey, licensed victualler.—Henry Sims, Caroline-place, Trevor-square, Knightsbridge, Middlesex, milkman.—Richard Henry Barker, Arthur-st., Well-st., Hackney, Middlesex, bricklayer.—James Puttock, Sherbourn-st., Blandford-square, Marylebone, and Welbeck-st., Cavendish-square, Middlesex, auctioneer.

Aug. 3 at 11, before the CHIEF COMMISSIONER.

Thomas Quicke, Symond's-inn, Chancery-lane, London, in no business.—Zebedeo Wilcos, Hare-street, Bethnal-green, Middlesex, ginger-beer maker.—Dietrich Müller, Henrietta-st., Brunswick-square, Middlesex, jobbing tailor.—J. Smith the younger, Maria-place, Cold Harbour-lane, Camberwell, Surrey, out of business.—Samuel Wood Graves, Elizabeth-st., Pimlico, Middlesex, in no business.

Aug. 3 at 11, before Mr. Commissioner HARRIS.

J. Gibbons, Three Colt-st., Limehouse, Middlesex, cooper.

Aug. 3 at 10, before Mr. Commissioner LAW.

Josiah Nightingale, Haymarket, St. James's, Middlesex, bootmaker.—Daniel Wilson, Percival-street, Goswell-street, Middlesex, out of business.—Samuel Smith, York-street, Commercial-road East, Middlesex, hairdresser.

Aug. 5 at 11, before Mr. Commissioner PHILLIPS.

Joseph Pates the younger, Manor-place South, King's-road, Chelsea, Middlesex, bread and biscuit baker.—William Humphreys, Perke's-rents, Great Peter-street, Westminster, Middlesex, licensed victualler.

Aug. 5 at 11, before Mr. Commissioner HARRIS.

John Press Howard the elder, Richmond-st., Richmond-road, Barnsbury-park, Islington, Middlesex, out of business.—Thos. Phillips, Queenhithe, London, licensed victualler.

Aug. 5 at 10, before Mr. Commissioner LAW.

Wm. Doncaster, Grove-terrace, Ealing, Middlesex, not in any trade.—Charles Samuel West, Caroline-st., Old Kent-road, Surrey, manufacturer of insulated wire for electric telegraph.—W. Money, Middleton-square, St. James's, Clerkenwell, Middlesex, clerk to a judge of one of the Superior Courts of Law in England.

Aug. 5 at 11, before Mr. Commissioner PHILLIPS.

W. H. Royer, Old-street, St. Luke's, Middlesex, dealer in furniture.—H. Gardner, New Charlton, Kent, tobaccoist.

Aug. 5 at 11, before the CHIEF COMMISSIONER.

Carl Von Berg, Old-st., St. Luke's, Middlesex, machinist.

Aug. 5 at 11, before Mr. Commissioner HARRIS.

Henry John Ewer, Chiswell-street, Middlesex, linen front and collar dresser.

Aug. 1 at 11, before Mr. Commissioner HARRIS.

Adjourned.

Joseph Bland, Hammer-smith, Middlesex, gentleman.

Aug. 5 at 10, before Mr. Commissioner LAW.

James Dickinson, Foley-place, Great Portland-street, Middlesex, commission agent.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

John Mason, Lancaster, cabinet maker, No. 72,563; James Brunton, assignee.—Thomas Hilton, Hulme, Manchester, out of business, No. 72,629; James Hartley, assignee.—Wm. Mason, Liverpool, timber merchant, No. 72,444; Charles Caldwell, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Aug. 2 at 11.

Anne Edwards, Manchester, out of business.—Geo. Fearn, Manchester, furniture painter.—Edmund Andrew, Middleton, near Manchester, grocer.—Wm. Fothergill, Lancaster, pattern maker.—Samuel Holdsworth, Burnley, shopman to a shoemaker.—James Hilton, Longsight, near Manchester, stockbroker.—Richard Bowman, Liverpool, grocer.—E. Taylor, Rochdale, common carrier.—James Hughes, Manchester, out of business.—Daniel M' Cabe, Manchester, shoemaker.—Wm. Key, Pendlebury, near Manchester, blacksmith.—N. Moson, Blackburn, out of business.—Thomas Fielding, Blackburn, joiner.—James W. Law, Salford, out of business.—James Westhead, Wigan, retail beerseller.—Patrick Cale, Liverpool, labourer.—Thomas Handley, Manchester, fruit dealer.—E. Bostock, Manchester, out of business.—Robert Pendlebury, Blackburn, butcher.—J. Phillips, Liverpool, out of business.

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July 19, 1850.

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The Jurist

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JULY 27, 1850.

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Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Crown Cases Reserved..	{ ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, JULY 27, 1850.

GREAT and not altogether unreasonable clamour has been raised by the refusal of the Attorney-General to sign the information proposed by certain parties to be filed against the Commissioners of Woods and Forests, to restrain the erection of buildings in Hyde Park for the Industrial Exhibition of 1851. That the Attorney-General is the proper officer to file an information when the complaint is by or on behalf of the public, and that he has authority to sign, or to refuse to sign, an information, is not doubted by any person acquainted with the principles on which the machinery of the Court of Chancery is put in motion. But, then, that authority is not a mere arbitrary authority, but one that is to be exercised upon certain fixed principles, in the same manner as the authority of the Chancellor is to be exercised; and as, in the case of the Chancellor, if he were to decide contrary to settled rules or principle, although his decision, if unreversed, would be binding on the particular parties, yet men would correctly say that it was, judicially speaking, a bad decision, and one that subsequent Chancellors would not follow,—so in the case of the Attorney-General, if he refuses to sign an information upon grounds which are not, according to legal principle and practice, sufficient, although he is not obnoxious to punishment, yet he is obnoxious to the assertion that his decision is a bad decision—bad, not in the sense of its being merely inexpedient, but bad in the same sense in which we use the term in speaking of a decision said not to be law.

Of the grounds on which the Attorney-General has refused to sign the information against the erection of buildings in Hyde Park, we, in common with the rest of the public, are only informed through the reasons

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given by that officer himself, and which have found their way into print in the public journals.

If the Attorney-General had simply refused his fiat without reasons, as there are many good reasons why an information should not be sanctioned, no one would have been able to say, that in the particular case the Attorney-General had come to an unsound conclusion, and we should have been bound to infer that the judicial authority of the Attorney-General had been exercised upon sufficient grounds; but as he has given reasons, we are to conclude that those which he has given are the best that he possesses; and, if they can be shewn to be bad reasons, we are at liberty to infer that the judgment is an erroneous one.

The following are the reasons stated to have been given by the Attorney-General:—

"I have in this matter a duty of a judicial nature to perform. The object of the information is to call in question the exercise of the discretion of the Woods and Forests in the management of a part of the property of the Crown. The information states that what the Commissioners of Woods and Forests are about to do is illegal, and injurious to the public. The information states no facts which, in my opinion, establish either of these propositions. But even if there were a question as to the legality, the Attorney-General is bound to judge whether it is for the interest of the public to litigate the question. Cases may be conceived, and, indeed, not unfrequently arise, in which the letter of the law has been violated, and in which the Court has, nevertheless, required the Attorney-General to consider whether he would allow an information to proceed complaining of such violation, even where the Attorney-General had already, in his discretion, allowed the information to be filed, and



where, if the information had proceeded, the Court could have done no other than enforce the strict right. The discretion of the Attorney-General is interposed to prevent this mischief; and his exercise of that discretion is purely an exercise of a judicial function, and as such I have exercised it to the best of my ability.

"In the present case the sense of what is for the interest of the public, with relation to what the Commissioners of Woods and Forests propose to do, has been unequivocally expressed by a vote of the House of Commons. It would, in my opinion, be an improper measure, on the part of the Attorney-General, if, in the exercise of his discretion, and acting on behalf of the public, he were to sanction a proceeding directly at variance with that vote. If any private right were affected by my decision it would be a different matter; but I have the satisfaction of knowing that no private right of any individual or individuals can be withdrawn from the consideration of any Court, or in any manner affected by my refusal to sanction this information."

Now, the first reason, as we collect, is, that the information states no facts which, in the opinion of the Attorney-General, establish, that what the Commissioners of Woods and Forests are about to do is illegal, and injurious to the public. This is, in effect, a species of demurrer to the information; and what the Attorney-General is here asserting authority to do is, not to say that the information, whether sustainable or not, is improper, for some reason, to be filed, but that it ought not to be filed because it cannot be sustained on the merits. He first decides, in effect, that the information would be dismissed if heard, and thence concludes that it ought not to be filed. Now, it has been heard that the Attorney-General would refuse to sanction an information because it was scandalous; because, whether successful or not, it would inevitably be injurious to the objects of it; or because, whether ultimately necessary or not, the case alleged was one more proper to be primarily attempted on behalf of an individual subject: but what lawyer has ever heard of the Attorney-General usurping the functions of the Chancellor, and deciding that a demurrer would lie to the information, and therefore that it ought not to be filed?

The next point to be observed in the Attorney-General's reasons is the allegation, that, if there were a question as to the legality, the Attorney-General is bound to judge whether it is for the interest of the public to litigate the question—a proposition, the correctness of which lawyers will not dispute; and here in particular, if the Attorney-General had given no reason for the exercise of his judicial discretion, it must have been assumed that he exercised it on sufficient grounds. But he does give his reason, and that is, that the sense of what is for the interest of the public, with relation to what the Commissioners of Woods and Forests are about to do, has been expressed by a vote of the House of Commons; and the Attorney-General thinks it would be an improper exercise of his judicial discretion, if, acting on behalf of the public, he were to sanction a proceeding directly at variance with that vote. Therefore the Attorney-General, studiously asserting that his function is judicial—that is, that it ought to

be exercised by the aid of his own sole judgment, unbiassed by any considerations except those drawn from legal principle or precedent—avowedly surrenders it to a political body, and guides it by a vote of the House of Commons.

Supposing for a moment that such an exercise of his discretion is judicial, let us look whether there ever was any vote of the House of Commons on the subject. What the Attorney-General is discussing, and that with reference to which he leans on a vote of the House of Commons, is, whether it is for the interest of the public to *litigate* the question of legality—a question which never was before the House at all. What the House of Commons expressed an opinion upon was the convenience of the selection of site for the proposed exhibition; on that, no doubt, the House expressed a strong opinion, but it did so wholly without reference to whether the proposed erections would be legal or not, and without any materials before it to decide whether, assuming any doubt to exist of the legality, it would be for the interest of the public to have that question first decided. It is not to be assumed that the House would have voted for crushing an inquiry into the question, whether an act which a branch of the Government was about to do, and which would produce irreparable injury if wrong, was or was not contrary to law. At any rate, the House never did pass any such vote; and the vote which actually was passed, does not apply at all to the question on which the Attorney-General relies to it as a reason for his judicial conclusion.

But supposing that the vote of the House had the effect which the Attorney-General attributes to it, would it afford a sound legal reason for the use made of it by the Attorney-General? The question which that officer had to consider, in his own stated view of it, is, whether it is for the interest of the public to litigate the legality of the acts proposed to be done. The Attorney-General acts on behalf of the Crown, as representing the public; not representing it as it is represented by the House of Commons, a body which no constitutional lawyer ever understands as completely representing the whole public; but representing those interests which are not represented in either House of Parliament; and, constitutionally speaking, representing the public more properly in antagonism to the House of Commons, than in aid of it. The Attorney-General, as such, acts quite independently of the House of Commons—he protects, on behalf of the Crown, those whom the House of Commons neither protects nor represents; and we conceive, that, in the exercise of his judicial discretion, he could not allow a vote of the House of Commons to influence his judgment; it was evidence not properly before him; it was evidence of the opinion of the very portion of the public between which and the rest of the Queen's subjects the Crown stands, and as against which it is the express function of the Crown, through its officer, the Attorney-General, to see that no wrong is done to that portion of the people or those public interests, of which the Crown is the representative.

Lastly, when the Attorney-General justifies his decision by the circumstance that it affects no private right, we apprehend that such a statement is quite beside the question. That he does not affect any private

vate right is no legal reason for refusing to permit the litigation of a claim of public right, if that claim be otherwise fit to be litigated.

Looking, then, at the reasons given by the Attorney-General for his decision; perfectly admitting that his authority is judicial, and to be exercised on judicial grounds; inferring, from his putting forth specific reasons, that they are the best that have occurred to his mind, we assert, that on this occasion his decision cannot be supported upon any principle of constitutional law.

As the Attorney-General, thinking it a fit case to give reasons, has not referred to any precedent, we are to infer that he has found none. The only precedent that has been quoted in support of the present decision is the refusal of the Attorney-General to sign an information in the case of *Squire v. Campbell*, (1 My. & C. 459). We believe the ground of that refusal was, that the case was purely one of contract, and therefore fit to be litigated by bill, and not either requiring or proper for the interference of the Attorney-General. At any rate, a reference to the case, as reported, will shew that such was its nature. It is, therefore, no authority at all for the decision of the Crown officer in the present case.

EFFECT OF THE NON-REGISTRATION OF A WILL WITHIN SIX MONTHS.

SIR E. SUGDEN, in his *Treatise on Vendors and Purchasers*, p. 987, 11th ed., has the following statement as to the effect of the Registry Acts for Middlesex and Yorkshire:—

"All devises by will shall be adjudged fraudulent and void against subsequent purchasers or mortgagees, unless a memorial of such will be registered within the space of six calendar months after the death of the devisor or testatrix dying in Great Britain, or within the space of three years after his or her death dying upon the sea, or in parts beyond the seas. Wills registered within the time allowed by the act will prevail over even a prior registered conveyance, but no time is limited within which a memorial of a will must be registered. It may, therefore, be registered at any time, where there is no adverse title under a prior registered conveyance; and there is no weight in an objection which has lately been made, that the estate descends to the heir-at-law if the will be not registered within the periods above specified."

The objection here alluded to is not correctly stated. It is, that a title under the will may be defeated by a conveyance by the heir to a purchaser for valuable consideration, without notice of the will, if the will is not registered within the time mentioned in the act. As against the heir himself and persons claiming under him, without valuable consideration or with notice, it is of course agreed that the will must prevail.

The intention of the framers of the acts may, perhaps, be guessed at, but it is impossible to find in any of the acts a clear expression of any reasonable intention with respect to wills.

The act for Middlesex (7 Ann. c. 20) enacts (sect. 1) that a memorial of all deeds and conveyances executed after the 29th September, 1709, and of all wills and devises in writing of testators dying after that day, and affecting any hereditaments in Middlesex, "may be registered in such manner as is hereinafter directed; and that every such deed or conveyance that shall at any time after the said day be made and executed shall be adjudged fraudu-

lent and void against any subsequent purchaser or mortgagee for valuable consideration, unless such memorial thereof be registered as by this act is directed, before the registering of the memorial of the deed or conveyance under which such subsequent purchaser or mortgagee shall claim; and that every such devise by will shall be adjudged fraudulent and void against any subsequent purchaser or mortgagee for valuable consideration, unless a memorial of such will be registered at such times and in such manner as is hereinafter directed."

"Subsequent" must here mean subsequent to the death of the testator; as, in the event of there being no registry at all, there is no other period to which it can relate.

The act, then, "for settling and establishing a certain method, with proper rules and directions, for registering such memorials," provides for the appointment and duties of a registrar, the form, contents, and authentication of memorials, &c.

Sect. 8 enacts, "that all memorials of wills that shall be registered in manner as aforesaid within the space of six months after the death of every respective devisor or testatrix dying within the kingdom of Great Britain, or within the space of three years after the death of every respective devisor or testatrix dying upon the sea, or in any parts beyond the seas, shall be as valid and effectual against subsequent purchasers as if the same had been registered immediately after the death of such respective devisor or testatrix; anything herein contained to the contrary thereof in anywise notwithstanding."

Sect. 9 gives further time in case of concealment, suppression, or contesting of a will, or other inevitable difficulty, if (in case of a known impediment) a memorial of the impediment is entered within two years, or in case of a testator dying abroad, four years.

And by sect. 10, in case of concealment, "any purchaser or purchasers shall not be disturbed or defeated in his or their purchases, unless the will be actually registered within five years after the death of the devisor or testatrix."

These are the material enactments with respect to wills; and, if it is evident from the general scheme of the act that its framers did not understand what they were meddling with, it is equally evident that, in these particular enactments, they did not know what they were saying.

The literal meaning of the principal clause is so absurd, that every exertion would be made to escape from it. But the difficulty arises from an incompleteness in the scheme, and not from a mere error in the language. The expressed meaning cannot be rejected without substituting not only a different meaning, but also additional provisions, of which the act affords no hint.

Sir E. Sugden's statement, that "no time is limited by the act within which a will must be registered," seems to be inaccurate; for if it is necessary to register a will at all, the act certainly, in terms, prescribes a period within which it must be done. In one sense registry is not prescribed by the act at all. It says, that memorials "may be registered in such manner as is hereinafter directed;" that is to say, that if it is thought fit to register, the directions contained in the act are to be observed. "Direction" here means a regulation, and not a command. When, therefore, the act says, that every such devise by will shall be adjudged fraudulent and void, unless a memorial be registered at such times (in the plural) and in such manner as is hereinafter directed, it means, that if the provisions in the act contained as to the manner of registering wills, and the times for doing it, (extended times being allowed in special cases), are not observed, purchasers from the heir are not to be disturbed by the devisee.

The only clauses which say anything as to the time for registering a will are the 8th, 9th, and 10th, al-

ready cited; and it is, therefore, to these clauses that the 1st section refers, as directing the times of registering. The meaning probably was, to provide, in ordinary cases, a period of six months from the death of an owner of land, within which it should be unsafe for a purchaser to deal with his heir, so that registry of the will on the last day of the six months should be equivalent to registry at the moment of the testator's death, as against *intermediate* purchasers from the heir. The means taken to attain this end are not remarkably apt. If it had been enacted that no purchaser from the heir within six months from the testator's death should prevail against the devisee, the object would have been gained; but why the title of a person buying from the heir in March should be good if the devisee does not register before the end of May, and bad if he does register in May, is not obvious.

Granting that it was at least part of the intent of the 8th section to suspend all dealings with an heir, by way of purchase or mortgage, on the faith of an intestacy, for a period of six months from the death of the ancestor, the 9th and 10th sections seem to render the 8th nugatory, for those sections allow a period of two years in cases of contest, and of five years in cases of suppression, for registering: so that no one dealing with the heir, on the assumption that there is no will, can be safe until after the lapse of five years from the testator's death; and the period of six months offered by the 8th section is a mere delusion. In the act for the North Riding, (8 Geo. 2, c. 6), some attempt appears to have been made to avoid this discrepancy, though not with entire success.

The same observation that was made on the 8th section may be repeated with respect to the 10th—that, if it refers to purchasers *prior* to the registry of the will, it does seem very absurd that the result of an ejectment, brought within twenty years from the testator's death against a purchaser from the heir, should depend upon the registry or non-registry of the will at a time when the registry, if effected, would be too late, the mischief to be prevented by it having been done.

As between a purchaser from the heir and a devisee who does not register until after the expiration of the time allowed by the 8th, 9th, and 10th sections, and also after the purchase, it is agreed that the purchaser from the heir has a better title. As this can only be under the enactment in the 1st section, the times mentioned in the 8th, 9th, and 10th sections must be "the times hereinafter directed," to which the 1st section refers. But the 1st section is general, and not confined to the case here put; and in all other cases, therefore, of contest between the devisee and a purchaser from the heir, these must be taken to be "the times hereinafter directed."

The difficulty is to acquiesce in that construction when it leads to the hardship of preferring a purchaser from the heir to a devisee who has actually registered before the date of the purchase, though after the time allowed. But we cannot find in the act any provision in favour of the devisee in such case. As between two conflicting conveyances, the act says that priority of registration shall determine the right. As between the devisee and a purchaser from the heir, it says that registration within a certain time from the testator's death shall be the test. There is nothing in the act as to *priority* of registration in such cases; and to apply such a test to them would be to make, and not to interpret, an act of Parliament.

Still less (if possible) is there any sanction in the act for Sir E. Sugden's suggestion, that registration of the will after the six months will defeat the title under a prior *unregistered* conveyance from the heir. The act does not say a word as to the registration of the conveyance by which the devisee is to be defeated.

As between a purchaser from the heir and a *subse-*

quent purchaser from the devisee, however, registration seems to be material, by the express terms of the act; for though, by the non-registry of the will, the devise is void as against the heir's vendee, a subsequent purchaser from the devisee is a purchaser within the meaning of the provisions as to the registration of conveyances; and though by his conveyance simply he gets nothing, yet by his conveyance and prior registration together he gets a good title. In the case of a fraudulent conveyance to a second purchaser, without notice of the first, the conveyance, standing alone, is a nullity; but the act regards it as a conveyance for the purpose of registration, and if first registered it becomes operative. Now, the conveyance by a devisee, whose title, by non-registry of the will, has failed as against a purchaser from the heir, is certainly not a greater nullity than the conveyance by a person who has already conveyed all his estate; and a purchaser claiming under such a conveyance, made *after* a sale by the heir, is a *subsequent purchaser*, within the general provision as to the registration of conveyances, and, if he registers first, is entitled to priority. That he does not claim under a conveyance from the same person who conveyed to his adversary is immaterial; his vendor is, like a vendor who has already conveyed away his estate, a person who could make a good title if the prior unregistered conveyance were out of the way.

There is, however, authority for a different conclusion. In *Honeycomb v. Waldron*, (Str. 1063), Lord Hardwicke, at Nisi Prius, held that the registry of a mortgage, and a subsequent assignment of a lease, did not make amends for the non-registry of the lease itself; for the act says, the deed under which the party claims, with the witnesses' names, shall be registered; and of this a subsequent purchaser can have no notice by the bare registry of the assignment. On this Sir Edward Sugden observes, that the intention of the act is defeated if the register does not contain a continuous chain of title. Now, if the meaning of the act is, that a will must be registered within a certain time, if at all, a purchaser, knowing the time allowed, would confine his search in the testator's name to that period; and, on the principle of Lord Hardwicke's decision, ought not to be affected by a will registered at a later time, though before his own purchase. Still less ought a purchaser from the heir to be affected by a prior registered conveyance from the devisee, if the will has not been registered at all.

However this may be, the act seems to afford to a purchaser from the devisee no protection against *subsequent purchasers* from the heir, when the will was not registered in due time; for the priority gained by registration of a conveyance is only given as against *antecedent purchasers*.

The acts establishing the registries in Yorkshire (2 & 3 Ann. c. 4; 5 & 6 Ann. c. 18; 6 Ann. c. 88; 8 Geo. 2, c. 6) differ in some particulars from the act for Middlesex, and also among themselves. The provisions as to concealed and contested wills are different. By the act for the North Riding, (8 Geo. 2, c. 6), every devise is declared void against any subsequent purchaser or mortgagee, *plaintiff or cognisee*, for or upon valuable consideration, unless a memorial of such will be registered in such manner as is hereinafter directed. This, probably, would be held to be confined to judgments, statutes, and recognisances given by way of security, and would not be extended to judgments recovered in adverse suits.

In the act for the West Riding, the memorial of a will is required to be executed by "one of the devisees, his guardians or trustees;" so that after the death of all the devisees, registration according to the terms of the act would be impossible. In the other acts the representatives of devisees are mentioned.

The principal difference, however, is, that the words

"at such times," which are in the 1st section of the Middlesex act, do not appear in the corresponding clauses of the Yorkshire acts. But as those acts, like the Middlesex act, contain clauses allowing a certain time for the registry of wills in certain cases, and declare that such registry shall be "a sufficient registry within the meaning of this act," and enact that in case of suppression or concealment of a will no purchaser shall be disturbed, unless the will be actually registered within a certain time, the result appears to be the same. It is plainly the meaning of those acts, that a purchase from the heir, while the will is unregistered, shall be postponed to the devisee, if the will is afterwards registered in due time; and it is not said that registry after the time appointed shall defeat a purchaser subsequent to the registry, or a prior purchaser whose conveyance is unregistered.

The effect of these difficulties in the construction of the Registry Acts is to render titles under wills which have not been registered in due time (a precaution more frequently omitted than observed) unmarketable, without the concurrence of the heir.

ORDER IN CHANCERY.

Lord Chancellor TAUBO has issued the following Order:—

In the Matter of the Suitors of the High Court of Chancery.

Whereas it is proper that the accounts kept by the Accountant-General of the said Court should be examined and compared, in order to settle the same; and whereas it will require considerable time to perfect such examination, and it is necessary that a time should be appointed for closing the books of accounts of the said Accountant-General for the purposes aforesaid, his Lordship doth order that the books of the said Accountant-General be closed from and after Monday, the 19th day of August next, to Monday, the 28th day of October next, in order to adjust the accounts of the suitors with the books kept at the Bank; and that during that time no draft for any money, or certificate for any effects under the care and direction of the said Court, be signed or delivered out by the said Accountant-General, or any stocks or annuities accepted or transferred by him relating to the suitors of the said Court; and that no purchase, sale, or transfer be made by the said Accountant-General, unless the order, request, or registrar's certificate be left at his office on or before Monday, the 12th day of August next; and that no order for the payment of any money out of court, which may be then in court, be received at the Accountant-General's office after Tuesday, the 13th day of August next; and to the end that the suitors may have notice hereof, and apply to the Court as there shall be occasion, to have money paid to them out of the Bank or Stocks, or annuities transferred to them, before the said 19th day of August next, his Lordship doth order that this Order be affixed up in the several offices belonging to the said Court.

MASTER IN CHANCERY.—The Lords Commissioners for the custody of the Great Seal have appointed James Atter, Gent., of Stamford, Lincolnshire, to be a Master Extraordinary in the High Court of Chancery.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—Sir Robert Peel, Bart., for the borough of Tamworth, in the room of the Right Hon. Sir Robert Peel, Bart., deceased; The Hon. William Owen Stanley, for the city of Chester, in the room of Sir John Jervis, Knight, who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

London Gazettes.

TUESDAY, JULY 23.

BANKRUPTS.

ROBERT DAY BUST, Reading, Berkshire, auctioneer, dealer and chapman, July 29 at 12, and Aug. 30 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Keighley, 73, Basinghall-street.—Petition dated July 15.

EDWARD FOSTER, Chesterton, Cambridgeshire, agricultural machinist, dealer and chapman, Aug. 2 at half-past 11, and Aug. 30 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Messrs. Foster, Cambridge; J. & C. Cole, 4, Adelphi-terrace, Strand, London.—Petition dated July 10.

WILLIAM HASLAM, Hertford, chemist and druggist, July 30 and Aug. 31 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Longmore & Swower, Hertford; Thompson & Debenham, Salters'-hall, St. Swithin's-lane.—Petition dated July 13.

WILLIAM WARD EVANS, Ludlow, Shropshire, butcher, dealer and chapman, Aug. 2 and Sept. 4 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Clark, Ludlow; E. & H. Wright, Birmingham.—Petition dated July 10.

EDWARD ROUND and WILLIAM ROUND, Tipton, Staffordshire, timber merchants, dealers and chapmen, Aug. 10 at 10, and Sept. 17 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Coldicott & Canning, Dudley; Reece, Birmingham.—Petition dated July 16.

RALPH HAMMOND, Macclesfield, Cheshire, innkeeper, dealer and chapman, Aug. 9 and 23 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Parrott & Co., Macclesfield.—Petition filed July 17.

JOHN HAYWARD, Hialand, Oswestry, Shropshire, scrivener, dealer and chapman, Aug. 10 and Sept. 17 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Davies, Oswestry; Motteram & Co., Birmingham.—Petition dated July 9.

RALPH NUTTALL, Macclesfield, Cheshire, silk manufacturer, woollendrapier, dealer and chapman, Aug. 8 and 29 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Bennet, Manchester; Parrott, Macclesfield.—Petition filed July 18.

MEETINGS.

Thomas Smeeton, Ipswich, Suffolk, tailor, Aug. 9 at 11, Court of Bankruptcy, London, pr. d.—*William Webb Dunn*, Bath, *William Keene*, Bath, Somersetshire, *Henry Brooks Marriott*, Llanganoyd, Glamorganshire, and *Samuel Brewer Waring*, Bristol, brewers, Aug. 6 at 11, District Court of Bankruptcy, Bristol, pr. d. sep. est. of *Wm. Keene*.—*Benjamin Smith*, Threadneedle-street, London, and Bow-common, Middlesex, copper smelter, and Duke-street, Lincoln's-inn-fields, Middlesex, silversmith, Aug. 15 at 12, Court of Bankruptcy, London, div.—*Alfred Allen Sutterby*, Stoke Ferry, Norfolk, grocer, Aug. 14 at 1, Court of Bankruptcy, London, div.—*William Pile* and *John Pile*, Monkwearmouth, Durham, ship-builders, Aug. 14 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div. joint and sep. est.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John King Watts, St. Ive's, Huntingdonshire, scrivener, Aug. 12 at half-past 1, Court of Bankruptcy, London.—*W. J. Garrett*, Bath, Somersetshire, grocer, Aug. 15 at 11, District Court of Bankruptcy, Bristol.—*Charles Francis*, Liverpool, grocer, Aug. 14 at 11, District Court of Bankruptcy, Liverpool.—*John Lawrence* and *Henry Dixon*, Birmingham, military ornament manufacturers, Aug. 15 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Thomas R. Kemp, Abchurch-lane, London, bill broker.—*James William English*, Poultry, London, chemist.—*Ann Anderson*, Clare-court, Drury-lane, Middlesex, tavern keeper.—*Stephen Noden*, Swinton-st., Gray's-inn-road, Middlesex, rug manufacturer.—*Lewis P. Capus*, Duke's-place, Aldgate, London, fruit merchant.—*Wm. Freeman*, Edgeware-road, Middlesex, licensed victualler.—*Wm. Ellison*, Stainsby-road, Poplar, Middlesex, builder.—*James Webster*, Leicester, en

gineer.—*John Harriman*, Nottingham, draper.—*Edward Williams and John Williams*, Dudley, Worcestershire.—*Jas. Guest*, Birmingham, commission agent.

SOOTON SEQUESTRATION.

Peter Kerr, Dundee, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edward Charles Taylor, Bridgend, cabinet maker, July 27 at 10, County Court of Glamorganshire, at Bridgend.—*Joseph Nicholson*, Gainsborough, Lincolnshire, schoolmaster, Aug. 26 at 9, County Court of Lincolnshire, at Gainsborough.—*H. Nye*, Worthing, Sussex, coachman, Aug. 5 at 11, County Court of Sussex, at Worthing.—*Rachel Marks*, Brighton, Sussex, straw-bonnet maker, Aug. 2 at 12, County Court of Sussex, at Brighton.—*Sarah Marks*, Brighton, Sussex, straw-bonnet maker, Aug. 2 at 12, County Court of Sussex, at Brighton.—*Wm. Jackson*, Crossland Moor Bottom, Almondsbury, Yorkshire, ironmonger, Aug. 2 at 10, County Court of Yorkshire, at Huddersfield.—*Joseph Potter*, South Town, Kenton, Devonshire, out of business, Aug. 10 at 10, County Court of Devonshire, at Exeter.—*Charles Kemmett*, Maidstone, Kent, coachman, Aug. 6 at 12, County Court of Kent, at Maidstone.—*John James Jeffery*, Southampton, ironmonger, Aug. 1 at 10, County Court of Hampshire, at Southampton.—*Wm. Hayward*, Maidstone, Kent, drayman, Aug. 6 at 12, County Court of Kent, at Maidstone.—*Wm. Mackness*, Milton, Cambridgeshire, butcher, Aug. 2 at 10, County Court of Cambridgeshire, at Cambridge.

Saturday, July 20.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Ellis Ratcliffe, Hainworth, near Keighley, Yorkshire, farmer, No. 70,358 C.; *Thomas Carrodus*, assignee.—*Wm. Wood*, Nethertown Farm, Pencoed, Herefordshire, farmer, No. 72,591 C.; *John Smith*, assignee.—*J. Meskins*, Prospect Dairy, Wandsworth-road, Surrey, cowkeeper, No. 61,575 T.; *Isaac Pentecost*, assignee.

Saturday, July 20.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Charles John Allen, Regent-st., Waterloo-place, Middlesex, money agent: in the Debtors Prison for London and Middlesex.—*Joseph Billen*, Hendon, Middlesex, cattle dealer: in the Debtors Prison for London and Middlesex.—*Carl Von Berg*, Old-street, St. Luke's, Middlesex, cigar maker: in the Debtors Prison for London and Middlesex.—*Henry John Beer*, Gloucester-place, Hoxton New-town, Middlesex, collar dresser: in the Debtors Prison for London and Middlesex.—*Anthony Clark*, Old Boswell-court, Strand, Middlesex, silver worker: in the Debtors Prison for London and Middlesex.—*Charles Dell*, Marigold-st., Bermondsey, Surrey, plumber: in the Gaol of Horsemonger-lane.—*Joseph Orbell*, Sheldon-st., Westbourne-terrace, Paddington, Middlesex, miller: in the Queen's Prison.—*Wm. Tumbie*, Holborn-hill, London, coffee-house keeper: in the Debtors Prison for London and Middlesex.—*Charles Robinson*, Greenland-place, Crompton-st., Fidd-st., Brunswick-square, Middlesex, iron bedstead manufacturer: in the Debtors Prison for London and Middlesex.—*Isaac Crookes*, College-hill, Upper Thames-street, London, eating-house keeper: in the Debtors Prison for London and Middlesex.—*John Wyburn Prior*, Richmond-terrace, Richmond-road, Islington, Middlesex, auctioneer: in the Debtors Prison for London and Middlesex.—*Wm. Cleake*, Kew Horse-road, Richmond, Surrey, omnibus driver: in the Debtors Prison for London and Middlesex.—*Charles Southey*, High-st., Hampstead, Middlesex, retailer of beer: in the Debtors Prison for London and Middlesex.—*Benj. Oliver*, Riley-st., St. Luke's, Chelsea, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Isaac Webster*, Jane-place, Old Kent-road, Surrey, foreman to a hop factor: in the Gaol of Horsemonger-lane.—*Alex. Blasdell*, Whiting's-terrace, Marlborough-road, Brompton, Middlesex, stationer: in the Debtors Prison for London and Middlesex.—*Thomas*

Heston, Upholland, near Wigan, Lancashire, coal proprietor: in the Gaol of Lancaster.—*James Walker Low*, Manchester, painter: in the Gaol of Lancaster.—*Daniel M'Gee*, Manchester, staymaker: in the Gaol of Lancaster.—*Thomas Davies*, Pontyberem-mill, Danelly, Carmarthenshire, miller: in the Gaol of Carmarthen.—*Wm. Gorton the younger*, Lichfield, attorney's clerk: in the Gaol of Coventry.—*John Spent Aird*, Houghton-le-Spring, Durham, farmer: in the Gaol of Durham.—*Edw. Bostock*, Manchester, grocer: in the Gaol of Lancaster.—*Thomas Cooper*, Derby, butcher: in the Gaol of Derby.—*Wm. Dunnett*, Kingston-upon-Hull, accountant's clerk: in the Gaol of Kingston-upon-Hull.—*Peter Welch*, South-moor, Lancashire, Durham, grocer: in the Gaol of Durham.—*Sarah Poulson*, Sunderland-near-the-Sea, Durham, marine artist: in the Gaol of Durham.—*Geo. E. Ponsie*, Sleaford, Lincolnshire, grocer: in the Gaol of Lincoln.—*James Hope*, Gateshead, Durham, bookseller: in the Gaol of Durham.—*George Cuthness*, Monkwearmouth, Durham, mariner: in the Gaol of Durham.—*James Douglas*, Sunderland, Durham, publican: in the Gaol of Durham.—*Thomas Stanley*, Birmingham, brass castor: in the Gaol of Coventry.—*Samuel Watts*, Eastwood, Essex, farmer: in the Gaol of Springfield.—*Wm. Wootton*, Aahby-de-la-Zouch, Leicestershire, plumber: in the Gaol of Leicester.—*Anthony Crosby*, Gravesend, Kent, out of business: in the Gaol of Maidstone.—*Charles Viner*, Douglas-place, Baywater, Middlesex, traveller to a wholesale ironmonger: in the Gaol of Reading, Berkshire.—*Jas. Henshaw*, Liverpool, labourer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Aug. 3 at 10.

Ebenezer Kirkpatrick, Fincham, near Downham Market, assistant to a tea dealer.

At the County Court of Norfolk, at the Guildhall, NORWICH, Aug. 3 at 10.

Stephen Fromow, Norwich, dealer in sheep.

At the County Court of Worcestershire, at WORCESTER, Aug. 14 at 10.

John Strafford, Lindridge, out of business.

At the County Court of Herefordshire, at HEREFORD, Aug. 15 at 10.

Edmund Pain, Sollars Hope, out of business.

At the County Court of Nottinghamshire, at NOTTINGHAM, Aug. 8 at 9.

Edward S. Wetnall, Nottingham, commercial traveller.

At the County Court of Kent, at MAIDSTONE, Aug. 6 at 10.

Anthony Crosby, Gravesend, out of business.

At the County Court of Essex, at CHELMSFORD, Aug. 8.

Samuel Watts, Eastwood, out of business.

At the County Court of Cornwall, at BODMIN, Aug. 7 at 10.

Edgar J. Jeffray, Tintagel, adventurer in slate quarries.—*John Rowe*, Polperro, Tolland, out of business.—*Chas. Alex. Williams*, Falmouth, commission agent.

INSOLVENT DEBTORS' DIVIDENDS.

Thomas Salter, Low-mill, Whittle-le-Woods, near Chorley, Lancashire, calico printer: 1s. 7½d. in the pound.—*Jesse Jay*, Bearsted, near Maidstone, Kent, saddler: 3s. 4d. in the pound.—*Wm. H. Hickson*, Ayton, near Stokeale, Yorkshire, attorney at law: 5s. 7d. in the pound.—*Robert Ashbee*, St. David's, Exeter, Devonshire, railway superintendent: 4½d. in the pound.—*James Bolton*, Thornley, near Longridge, Lancashire, licensed victualler: 2s. 3d. in the pound.—*William Prebble*, Mersham, near Ashford, Kent, publican: 10½d. in the pound.—*W. W. Tucker*, Exeter, Devonshire, carrier: 3d. in the pound.—*John Jackson*, Middlesborough, Yorkshire, shoe manufacturer: 2s. 3d. in the pound.—*John Jack*, Willow-walk, Kentish-town, Middlesex, baker: 7½d. in the pound.—*John Jackson*, Liscard, Cheshire, gentleman: 1s. 5½d. in the pound.—*W. Glanvill*, Abingdon, Berkshire, carpenter: 5½d. in the pound.—*Isaac Burman*, Charles-street East, Hampstead-road, Middlesex, clerk in the Office of Exchequer at Pleas: 3s. 4½d. in the pound.—*Daniel Milner*, Chesham,

Manchester, ironmonger: 1s. 0½d. in the pound.—*A. Lee*, Huddersfield, Yorkshire, saddler: 1s. 2d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

Wm. Foreyth, Stanton, Northumberland, brickmaker, July 30, at Woodham's, Morpeth: 1s. 7d. in the pound.

FRIDAY, JULY 26.

BANKRUPTS.

CHARLES BUNYARD, Mark-lane, London, seedsman, dealer and chapman, Aug. 8 at 2, and Sept. 6 at half-past 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Marten & Co., Commercial Sale-rooms, Mincing-lane.—Petition dated July 22.

THOMAS BINCKES, Brunswick-place, Blackheath, Kent, dealer in Berlin wools, dealer and chapman, Aug. 2 and Sept. 6 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Lawrance & Pews, 14, Old Jewry-chambers.—Petition dated July 24.

WILLIAM RAYNHAM, Ladbrooke-road, Notting-hill, Middlesex, builder, dealer and chapman, Aug. 5 at 12, and Aug. 31 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Rogers, 3, Fenchurch-buildings, London.—Petition dated July 12.

GEORGE GARRARD, Saxmundham, Suffolk, ironmonger, dealer and chapman, Aug. 3 at 11, and Aug. 31 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Mayhew & Son, Saxmundham; Stevens & Satchell, Queen-street, Cheshire.—Petition dated July 20.

DIRK HORATIO HEALEY, late of Horsley-heath, Staffordshire, but now of Lodge-road, near Birmingham, iron-founder, Aug. 6 and Sept. 3 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Petition dated July 22.

ROBERT FAIRLEY, Sunderland, Durham, chemist and druggist, Aug. 2 at 1, and Sept. 13 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Alcock, Sunderland; Pringle & Co., 3, King's-road, Bedford-row, London.—Petition filed July 15.

MEETINGS.

William Threlfall, Addingham, Yorkshire, cotton spinner, Aug. 5 at 11, District Court of Bankruptcy, Leeds, pr. d.—*Charles J. Hubbard*, Crutched-friars, London, and Saffron Walden, Essex, hop merchant, Aug. 7 at 11, Court of Bankruptcy, London, last ex.—*John M'Gibbon* and *A. Galbreath*, Kingston-upon-Hull, traders, Sept. 18 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, pr. d.—*B. Smith*, Threadneedle-street, London, and Bow-common, Middlesex, copper smelter, and Duke-street, Lincoln's-inn-fields, Middlesex, silversmith, Aug. 9 at half-past 1, Court of Bankruptcy, London, and. ac.—*William Foster Newton*, Dover-street, Piccadilly, Middlesex, milliner, Aug. 15 at half-past 11, Court of Bankruptcy, London, and. ac.; Aug. 16 at 12, div.—*John H. Howard*, Cheltenham, Gloucestershire, oil merchant, Aug. 8 at 11, District Court of Bankruptcy, Bristol, and. ac.—*John M. Gardner*, Bristol, draper, Aug. 15 at 11, District Court of Bankruptcy, Bristol, and. ac.; Aug. 20 at 11, div.—*Daniel Pinkstone*, Cheltenham, Gloucestershire, innkeeper, Aug. 8 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Wm. Pile* and *John Pile*, Monkwearmouth, Durham, shipbuilders, Aug. 13 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Wm. Stone*, Matlock, Derbyshire, builder, Aug. 16 at 10, District Court of Bankruptcy, Nottingham, and. ac.—*Alfred Alsop*, Bonsall, Derbyshire, lead merchant, Aug. 16 at 10, District Court of Bankruptcy, Nottingham, and. ac.—*Thomas Reader*, Foleshill, Warwickshire, miller, Aug. 20 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*James Hellings*, Rugby, Staffordshire, common brewer, Aug. 20 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*John Winder* and *Richard Foker*, Liverpool, merchants, Aug. 15 at 11, District Court of Bankruptcy, Liverpool, div.—*E. Ryder*, Birmingham, jeweller, Aug. 17 at 10, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

George Thornelee, High-street, Poplar, Middlesex, grocer, Aug. 6 at half-past 1, Court of Bankruptcy, London.—*Joseph Chilton*, Bathwick, Bath, apothecary, Aug. 19 at 12, District Court of Bankruptcy, Bristol.—*Thomas Whitmore Alport*, Bristol, ironmonger, Aug. 19 at 12, District Court of Bankruptcy, Bristol.—*William Pile* and *John Pile*, Monkwearmouth, Durham, shipbuilders, Aug. 20 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.

To be granted, unless an Appeal be duly entered.

Samuel Cox the elder, Cobham-row, Clerkenwell, Middlesex, builder.—*Robert Skinner*, West Malling, Kent, brick-maker.—*James Bannock*, Exeter, law stationer.—*Frederick Cook*, Southernhay, Exeter, upholsterer.—*George Page*, Wolverhampton, Staffordshire, coal dealer.—*John Thomas Holland*, Coventry, Warwickshire, builder.—*William Sherman*, Hulme, near Manchester, builder.

PARTNERSHIPS DISSOLVED.

Frederick Balders Beevor, *John Arthur Buckley*, and *George Edward Philbrick*, Gray's-inn-square, Middlesex, attornies and solicitors, (so far as regards the said Frederick Balders Beevor).—*Charles Teissier Master* and *William Bennett Freeland*, Saffron Walden, Essex, attornies and solicitors, (under the firm of Master & Freeland).—*Henry Chase* the younger and *Henry John Neale Chase*, Reading, Berkshire, attornies and solicitors, (under the firm of Chase & Chase).—*William Charles Lacey*, *Jonathan Howard*, *Charles Henry Charlton*, and *Francis Dollman*, New Bridge-street, Blackfriars, London, attornies and solicitors, (so far as regards William Charles Lacey and Charles Henry Charlton).

SCOTCH SEQUESTRATION.

Alexander Anderson, Avaulds, Gamrie, Banffshire, cattle dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Alldridge Lewis, Market Deeping, Lincolnshire, brewer, Aug. 6 at 12, County Court of Lincolnshire, at Bourn.—*Thomas Kilmister*, Tewkesbury, Gloucestershire, millwright, Sept. 12 at 10, County Court of Gloucestershire, at Tewkesbury.—*Henry Trunkfield*, Gloucester, wholesale fruiterer, Sept. 9 at 10, County Court of Gloucestershire, at Gloucester.—*John Morgan*, St. Peter's, Hereford, mason, Aug. 15 at 10, County Court of Herefordshire, at Hereford.—*George Bellehambers*, Edenbridge, Kent, general dealer, Aug. 16 at 10, County Court of Kent, at Tonbridge.—*John Baldwin*, Borough Green, Cambridgeshire, blacksmith, Aug. 7 at 3, County Court of Cambridgeshire, at Newmarket.—*Edw. Henry Webb*, Denston, Suffolk, shoemaker, Aug. 6 at 3, County Court of Suffolk, at Haverhill.—*John Pickford* the younger, Battle, Sussex, retailer of beer, Aug. 12 at 11, County Court of Sussex, at Hastings.—*John Simmons*, Purley, Berkshire, blacksmith, Aug. 1 at 10, County Court of Berkshire, at Reading.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, Sept. 9 at 10.

Joseph Sandford, Winchcomb, attorney-at-law.

At the County Court of Devonshire, at EXETER, Aug. 10 at 10.

John Youlden the younger, Lower Brixham, coal dealer.

At the County Court of Durham, at DURHAM, Aug. 9.

George Githens, Monkwearmouth, master mariner.—*Jan. Douglass*, Sunderland, publican.—*James Hope*, Gateshead, bookseller.—*Ebenezer Poulsen*, Sunderland-near-the-Sea, marine artist.—*Sarah Poulsen*, Sunderland-near-the-Sea, marine artist.—*Anthony Binks*, Blackwellgate, Darlington, clock-maker.—*Peter Welch*, Stanley Burn, near South Moor, Lancaster, innkeeper.—*John Spark Aird*, Houghton-le-Spring, farmer.

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The Jurist

No. 708—VOL. XIV.

AUGUST 3, 1850.

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LONDON, AUGUST 3, 1850.

THE County Court Extension Bill has received some material amendments in the Lords, and it now appears that they will be adopted by the Commons. A concurrent jurisdiction with the superior tribunals is to be exercised by the county courts in cases involving amounts between 20*l.* and 50*l.*, (except in such cases as are excepted by sect. 58 of stat. 9 & 10 Vict. c. 95*); (sect. 1); and even such excepted cases, together with those in which the sum sought to be recovered shall exceed 50*l.*, may be tried in the county court by consent of the parties. (Clause D.)

An appeal is allowed to any of the superior Courts of common law at Westminster, from the "determination or direction of the county court in point of law, or upon the admission or rejection of any evidence," in any cause of the amount† to which jurisdiction is given by this act, if, within ten days after such determination or direction, notice of appeal be given to the other party, and security be given to answer the costs of the appeal, and also, if the defendant be appellant, to answer the amount of the judgment. For the purpose of hearing such appeals, two puisne judges of one of the superior courts are to sit out of term, and the said Court of Appeal may either order a new

trial on such terms as it thinks fit, or may order judgment to be entered for either party; and such order shall be final, unless the Court direct the same matter to be stated before another Court, whose decision shall be final. (Clause A.)* Such appeal is to be in the form of a case agreed upon by the parties, or (in the event of their being unable to agree) it is to be settled by the judge of the county court. It is then to be transmitted to the rule department of the Master's office of the Court appealed to. (Clause B.)

Henceforth it will be unnecessary to enter a suggestion to deprive the plaintiff of costs, where he recovers in a superior court a sum under 20*l.* in actions ex contractu, or 5*l.* in actions ex delicto; but he will have judgment to recover such sums only, and no costs, except in case of judgment by default†, (sect. 13); but the judge at the trial may still certify, so as to entitle the plaintiff to costs, (sect. 14); and if the plaintiff satisfy the court or a judge that the action was brought for a case in which concurrent jurisdiction is given to the superior Courts by the 128th section of stat. 9 & 10 Vict. c. 95‡, or for which no plaint could have been

* This clause is ambiguous in several respects. Is there to be a Court of Appeal in as well as out of term? What is the meaning of the words, "and such order shall be final, unless the Court shall direct the same matter to be stated before one or other of the Courts to which *he or they respectively belong*?" If they mean the Court of two judges out of term, the words should be, "to which the said two puisne judges, or one of them, belong."

† Why is this excepted? One of the evils under the former act was, that a defendant was compelled to defend an action until verdict, in order to deprive the plaintiff of costs.

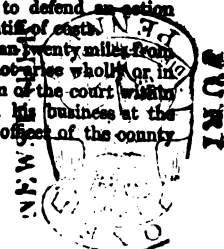
‡ Viz. where the plaintiff dwells more than twenty miles from the defendant, or the cause of action did not arise wholly or in some material point within the jurisdiction of the court within which the defendant dwells or carries on his business at the time of the action brought, or where any object of the county

* Viz. ejectment; actions in which title to any hereditaments, or toll, fair, market, or franchise, shall be in question; or validity of devise, bequest, or limitation under any will or settlement may be disputed; or for any malicious prosecution, libel, slander, crim. con., seduction, or breach of promise of marriage.

† Quære, will this apply to causes which, although not exceeding 20*l.*, were excepted by sect. 58 of stat. 9 & 10 Vict. c. 95, but which may, by this bill, be tried in the county court by the consent of the parties?

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DD



entered in any such county court, or that the cause was removed by certiorari*, he may recover his costs. (Sect. 15).

The fees to be taken by barristers and attorneys, in cases to which this act applies†, are regulated by the 6th section. Where the debt claimed does not exceed 35*l.*, the attorney's fee is not to exceed 1*l.* 10*s.*, and in other cases it is not to exceed 2*l.* In no case is a fee exceeding 2*l.* 4*s.* 6*d.* to be allowed for employing a barrister; and the expense of employing either counsel or attorney is not to be allowed, except by order of the judge. No provision is made for exclusive audience, or even for pre-audience, of the Bar; barristers and attorneys will therefore be placed on precisely the same footing as regards advocacy, and the only difference will be in the amount of the fees which are to be taken.

The remaining clauses of the act are comparatively immaterial; they provide for confessions of debts after plaintiff has been entered, and enable payment thereof to be enforced on such conditions as may be agreed upon, as if judgment had been given to that effect in the county courts, (sects. 9, 10); for costs to be paid to the defendant, if the plaintiff does not appear, (sect. 12); for the prevention of second suits for the same cause, by imposing the penalty of treble costs on the offending party, (Clause E.); and for the protection of the officers of the county courts, (Clauses F. and G.)

So much of sect. 107 of stat. 9 & 10 Vict. c. 95, as requires a landlord, where rent is in arrear for premises wherein goods have been taken in execution, to state, in writing, the terms of the holding, is repealed, and it will be sufficient for him to state, in writing, the amount of the rent claimed, and the time in respect of which it is claimed. (Clauses H. and I.)

Writs of prohibition may be granted in vacation as well as in term. (Clause J.) In default of sufficient appointment of an umpire, on submission to arbitration by landlord and tenant, a county court judge may appoint one. (Clause K.)

The act is not to take away the power of the judges of the superior Courts to hold defendants to bail in actions commenced in the superior Courts; and while orders for that purpose are in force, the provisions of the act are not to apply to such actions.

THE FIRST REPORT OF THE REGISTRATION AND CONVEYANCING COMMISSION.

THIS Report is signed by Lords Langdale and Beaumont, and Messrs. Ker, Coulson, and Frere. The other two commissioners, Messrs. Humphry and Broderip, in a separate paper, state that they differ from their colleagues, in being unable to approve of *public maps* as the basis of an index to the register, and that they think the working of any plan of registration should be investigated in greater detail than has been done by the present commission, before it is recommended for adoption. They promise a more detailed explanation of their views when the second report, on "the simplifica-

court shall be a party, except in respect of any claim to any goods and chattels taken in execution of the process of the court, or the proceeds or value thereof.

* But by Clause C. no certiorari is to be allowed.

† The corresponding section under the former act is sect. 91.

tion of the forms of conveyance," appears. The report of the majority is confined to the subject of registration, and, if Mr. Wilson's plan had never been proposed, would have been perfectly satisfactory; for between Mr. Wilson's plan and that of the late Mr. Duval, the adoption of which, with some improvements, is recommended in the Report before us, the choice certainly lies. Mr. Wilson's evidence is to be found in the appendix to the Report, where he explains his plan in minute detail, and, as the commissioners truly say, "with great ingenuity and ability." Notwithstanding this, no opinion as to the merits of the plan is expressed in the Report. The commissioners say, that, "to the establishment of Mr. Wilson's system, it is essential that there should be a registration of title, which is invariably and certainly to vest the legal ownership in a registered owner—a person in existence, and ascertained. . . . The reasons which have prevented us from entering into the question of the expediency of judicial registration, apply to the plan of Mr. Wilson. The object sought to be accomplished—a registration which is necessarily to transfer a title—is to be attained by altering existing titles, by changing the character of existing rights, and by shortening the periods during which they may be asserted. As it is not within the limits of our commission to suggest the extensive alterations of the law which would be required to give effect to such a plan, if we had been prepared to recommend it, we have not thought it necessary to consider whether the proposed machinery would secure the benefits which are sought, or whether the advantages, if attained, would outweigh the inconvenience incident to the change."

We are sorry to see a report of such ability stultified by the confession, that, for aught the commissioners know, they may have been, during the three years of their incubation, sitting upon the wrong egg. If Mr. Wilson's plan, involving or not involving any extensive alterations of the law, is preferable to that recommended by the commissioners, the latter ought not to have been recommended; and if the commissioners felt themselves precluded by the terms of their commission (to inquire "whether the burthens on land can be diminished by the establishment of an effective system for the registration of *deeds* and the simplification of the forms of conveyance") from investigating the merits of the former plan, they ought, in such a dilemma, to have applied for an extension of their powers.

The practical importance of the omission is not, perhaps, very great; for though, after much hesitation, we are convinced that Mr. Wilson's plan involves the true principle by which the transfer of title to real property ought to be governed, it differs so widely in form, and to some extent in substance, from our present system, that it is not likely to make its way through the resisting medium of prejudice and habit for many years. Mr. Duval's plan, cleared, by the adoption of a public map, from the only obscurity or difficulty which it presented to ordinary apprehensions, has now a fair chance of being adopted, and will form an excellent preparation for a more complete system on Mr. Wilson's principle, when that principle is more generally understood.

We shall shortly give an account, in some detail, of the more important parts of the Report and the evidence; at present we have only time to state briefly the general nature of the commissioners' proposal.

The safe custody of deeds and wills relating to real property, and the proof of their contents, are to be provided for by the deposit of the originals and the delivery of office copies. Acts of law affecting real estates, such as judgments, bankruptcy, &c., are also to be registered.

The register will thus, after it has been in operation a sufficient time, contain in detail all the informa-

tion necessary to ascertain the state of the title to any given property, with the exception, perhaps, of latent heirships and wills—cases for which it is difficult to make a perfectly satisfactory provision. To make this mass of information available, an efficient index must be kept, and the making of such an index is the only real difficulty involved in the inquiry. The experience of existing registries shews that an index of names alone is utterly useless. The only alternative is an index of estates. Each estate, held under a distinct title, must have a distinct head allotted to it in the index, and under this head must be entered, in chronological order, as the documents come in to be registered, a reference to every document affecting the estate, being either a simple reference to its place in the repositories of the registry, with the date and the names of the parties, or such a reference combined with a short statement of the general effect of the document. In the latter case each head of the index will somewhat resemble an epitome of an abstract of title. Where the estate becomes subdivided, or united with another estate, a new head is opened in the index, and the old head is closed with a reference to the new one.

If, then, in an inquiry relating to a particular estate, the head appropriated to it in the index is known, a reference to all the information that is required may be obtained with certainty at a glance. The difficulty is to provide a key or index to the index itself. If the inquirer is already provided with a reference to some registered document relating to the estate, the difficulty does not exist, because an indorsement on the document itself will contain a reference to the volume and page of the index where it is entered. For cases where the inquirer has no reference to any registered document, an index of names of owners, and an index of names of estates or places, may be provided; and it was principally by an index of this kind, called "The Index to the Roots of Title," that Mr. Duval proposed to effect his object. The object may be much more efficiently attained by an index referring to a general map on a sufficiently large scale, resembling those used in the Tithe Commutation. Such a map the former Real Property Commissioners, in their report of 1830, did not venture to recommend. But since the publication of that report, the materials for such a map have been accumulating under the proceedings of the Tithe Commissioners, and when the Tithe Commutation is completed, out of 36,500,000 acres, (the whole area of England), about 23,500,000 will have been mapped with sufficient accuracy for the purpose. "Of the 13,000,000 not covered by these maps, a very considerable portion, it is believed, consists of rough and mountain land, which may be mapped at less than half the expense of the inclosed lands. And Captain Dawson believes, from his experience in the progress of tithe commutation, that with respect to one-third of those parishes, of which the surface makes up the 13,000,000 acres, maps of them might be found in existence." Much assistance is to be derived from the triangulation of the Ordnance survey, and from the Ordnance six-inch survey and map of the six northern counties, and sixty-inch survey and maps of the towns.

Such a map would not only (with the aid of some few necessary and wholesome restrictions on sweeping and general charges and dispositions) afford a complete and ready means of reference to the register, but it would also greatly simplify and improve the practice of conveyancing.

We shall shortly return to this subject. In the meantime, we may refer such of our readers as have not access to the Report, to a paper, in which, when Lord Campbell's Registration Bill was last brought forward, (in 1845), we considered, with some minuteness, the mode in which Mr. Duval's plan might be worked out with the help of a map. (See 9 Jur., part 2, p. 207).

RECENT CASES ON THE WINDING-UP ACTS, 1848 AND 1849.

Practice.

THE following points of practice have been decided by the Court in the proceedings under the Winding-up Acts:—

Contributory.

A contributory, who did not attend the settling of the list, nor appeal in time, was permitted to read evidence to explain his non-attendance; and such evidence being satisfactory, he was allowed to go in before the Master to dispute his liability. (*Ashburner's case*, 13 Jur., part 1, p. 691).

And in another case, where a contributory neglected to attend to the notice by the Master, under the 78th section of the act of 1848, being advised wrongly, that, as he had previously sold his shares, he might disregard it, leave was given to him to go before the Master and dispute his liability, on the terms of paying the costs of the application, and prosecuting his claim to exemption on or before a fixed day. (*Holt's case*, 3 De G. & S. 99).

Where the question, as to being on the list, is between a purchaser of shares and the official manager, it is not necessary to serve the vendor of those shares with notice of a motion by the purchaser against the Master's decision. (*Sanderson's case*, Id. 75).

Appeal.

The 33rd section of the act of 1849, providing that no notice of motion for a rehearing of an order, made under the acts of 1848 or 1849, shall be given more than three weeks after the making of such order, is retrospective. (*Sanderson's case*, 1 Mac. & G. 306).

It should be borne in mind that the orders made under these statutes may be inrolled, so as to prevent a rehearing, like any ordinary decree. (*Hollinsworth's case*, 1 Hall & T. 587).

Action.

Where an action against a company, by one of its creditors, was restrained, under sect. 73 of the act of 1848, on the making of the winding-up order, until after proof of the debt before the Master, and proof being exhibited under sect. 74, was disallowed by the Master under sect. 75, the Court directed that the creditor should be at liberty, notwithstanding the certificate of the Master, to take or prosecute proceedings at law. (*Armstrong's case*, 3 De G. & S. 140).

But the creditor should attempt to prove his debt before the Master before he can have this liberty. (*Thompson v. The Universal Salvage Company*, 6 Dowl. & L. 485).

And an action by a creditor will not be restrained, even after the winding-up order, if the official manager has not been appointed. (*Re The India and Australia Mail Steam-packet Company*, 13 Jur., part 1, p. 689).

Evidence.

An assignee of a bankrupt shareholder was stated to have made such payments on account of the bankrupt's shares as amounted to an acceptance of them; and it was alleged, that an admission of such payments appeared upon the accounts, signed by him, in the bankruptcy. The Commissioner in bankruptcy would not allow the Registrar, when summoned, to produce the bankruptcy proceedings before the Master. The assignee was thereupon ordered to produce them by a certain time, or, it was intimated, he would probably be committed. (*Stone's case*, 3 De G. & S. 120).

Where, in an action brought by a creditor of a company against one of the shareholders, the official manager was substituted, under sect. 52 of the act of 1848, for the original defendant, who was stated on the

record to have been a "nominal defendant on behalf of the company," this statement made it impossible to use the acts and declarations of the original defendant as evidence at the trial of the cause. (*Armstrong v. Normandy*, 14 Jur., part 1, p. 579).

Jurisdiction.

The Queen of Spain, by a royal ordinance, granted to a Spanish subject the right to make a railroad in Spain, upon certain conditions. This grant was afterwards assigned by the grantee to the chairman of a London company for making the said railroad. One of the conditions of the grant was, that the company should deposit 10l. per cent. in cash, on the value of the shares, in a bank in Spain, and 3,000,000 reals in the bank of London, within forty days; which last deposit was to devolve to the Spanish State if the former deposit were not made according to the condition. The company's prospectus announced that its affairs would be conducted by a board of directors in London, assisted by a highly influential committee in Madrid, and that the company's office was in London. Shares were taken by Englishmen and also by Spaniards. The Vice-Chancellor held, that from the statements in the prospectus, and "under the circumstances of the case in other particulars," which he did not specify, the company was within English jurisdiction, and he made an order to wind it up, which was subsequently affirmed by the Lord Chancellor. (*Turner's case, re The Madrid and Valencia Railway Company*, 3 De G. & S. 127).

After an order had been made to wind up a company under the act of 1848, the further proceedings were transferred, on petition, to be served on the same person who was served with the original petition, to the British Court of Bankruptcy, under sect. 123 of the statute. (*Renshaw's case*, 13 Jur., part 1, p. 274).

Lien.

An order by the Master, under sect. 63 of the act of 1848, for the production of documents by the solicitors of the company to the official manager, was not allowed to destroy or prejudice the lien of the solicitors on the documents in question, but the order was discharged by the Vice-Chancellor, notwithstanding an undertaking was offered by the official manager to pay the solicitors' taxed bill out of the first monies coming to his hands. (*Potter's case*, 1 De G. & S. 728).

Master.

Sect. 66 of the statute of 1848 does not give the Master authority to order the solicitors of a company to pay to the official manager the balance of monies in their hands which were paid to them by the company on account, and were subsequently found to be of greater amount than the company's debt to them, such balance not being held by them as "contributories, trustees, receivers, bankers, or agents," within the meaning of that section. (*Hollingsworth's case*, 3 De G. & S. 102).

The object of sect. 28 of the same statute is, that a general direction should be given by the Master, at the outset of proceedings in his office, for the delivery up to the official manager of the "books of account, deeds, instruments, cash, bills, notes, papers, and writings of and belonging to the company," and it does not authorise an ex parte order for such purpose against a particular individual. (*Pell's case*, Id. 170).

In another reported case, the form of an order upon a contributory for payment of a call is given at length; and it was decided that sect. 46 of the act of 1848 gave the Master power to direct substituted service of such an order where the contributory was dangerously ill, by serving a copy upon her solicitor in the matter, and leaving another copy at her dwelling-house. (*Ellis's case*, Id. 172).

The Master has power to discharge the petitioner, under the act, from attendance upon him in the matter until further order. (*Barber's case*, 1 De G. & S. 728).

The Master cannot be called on by the official manager to determine whether a contributory is not liable in one of two characters, but the official manager must seek to make him liable in some one character only. (*Pim's case*, 1 Mac. & G. 291).

Petition.

A petition for winding-up a company, which was provisionally registered, was allowed to be presented by a holder of scrip, though he had not signed the subscriber's agreement or subscription contract. As it appeared that the petitioner had had no opportunity of inspecting the accounts, an order was made in this case similar to that made in *Pocock's case*, (1 De G. & S. 731), that the accounts should be produced to him, and he should have liberty to bring any matter arising upon them before the Court; and the petition meanwhile was to stand over, with liberty to mention it again. (*Capper's case*, 3 De G. & S. 1).

So, two directors of a company, who had personally incurred liabilities on behalf of the company, and had been compelled to pay some of the company's creditors, were allowed to enforce contribution by a petition under the act, although it was sworn that the company was dissolved, and had neither assets nor debts. (*Hollingsworth's case*, Id. 7).

And again, it was decided that a member of the managing committee of a company, who had been compelled to pay the company's debt to their solicitors, might petition. (*Cooke's case*, Id. 148).

A petitioner, who had applied to the Court of Bankruptcy, under stat. 7 & 8 Vict. c. 70, for protection, and to carry into effect an arrangement for vesting his effects in trustees for the payment of his debts, such an arrangement having been made and a trustee appointed on his application, was not allowed to proceed in the absence of the trustee, but the petition was ordered to stand over that he might be served with it. (*Waters' case*, Id. 2).

It has been further decided, that where the petition has not been served upon any one, the appearance of two of the directors of the company by counsel to consent, at the hearing, does not cure the want of service, but the service in such case was ordered to be duly made. (*Re The Tring, Reading, and Basingstoke Railway Company*, Id. 10).

But service was dispensed with where it appeared that the secretary of the company was present at a meeting at which the petition was agreed to, and also appeared by counsel to consent at the hearing. (*Walsey's case*, Id. 101).

Service upon the company's solicitor is not sufficient, he not being "an officer or servant of the company" within the meaning of the act of 1848, sect. 10. (*Dale's case*, Id. 11).

A petition to discharge a winding-up order must be served on the interim manager, where one has been appointed. (*Coleman's case*, Id. 139).

A company ought not to be charged with the costs of more than one petition to wind it up under the act. (*Turner's case*, Id. 127).

A petitioner out of the jurisdiction will be ordered to give security for costs. (*Latta's case*, Id. 186).

E. E. K.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Ambrose Wain, Gent., of Birkenhead, Cheshire, to be a Master Extraordinary in the High Court of Chancery.

London Gazette.

TUESDAY, JULY 30.

BANKRUPTS.

WILLIAM WOODS, Prospect-place, Wandsworth-road, late of Devonshire-road, Wandsworth-road, Surrey, builder, dealer and chapman, Aug. 16 at half-past 12, and Sept. 6 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Wilkinson & Co., 2, Nicholas-lane, Lombard-street.—Petition dated July 26.

REUBEN BROOKS, Regent-st., Middlesex, picture dealer, Aug. 5 and Sept. 7 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Carlow & Haynes, Palace-chambers, St. James's-st.—Petition dated July 17.

JOHN GALE PEASEGOOD, Sheffield, Yorkshire, draper, dealer and chapman, Aug. 7 at 2, and Sept. 7 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Jones, Sisle-lane, London.—Petition dated July 17.

THOMAS TIBBETT, March, Cambridgeshire, corn factor, dealer and chapman, Aug. 5 at 2, and Sept. 7 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Miller & Son, Norwich; Abbott & Wheatley, 22, Southampton-buildings, Chancery-lane.—Petition dated July 23.

THOMAS TAPPENDEN, Friendly-place, Old Kent-road, Surrey, tailor, dealer and chapman, Aug. 5 at half-past 2, and Sept. 7 at 2, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Foord, Finner's-hall, Old Broad-st., London.—Petition dated July 29.

DAVID CLEMENT, Neath, Glamorganshire, saddler, dealer and chapman, Aug. 12 and Sept. 11 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Whittington & Gribble, Bristol; Sewall, 51, Old Broad-st., London.—Petition filed July 4.

JONATHAN THOMPSON, Wigton, Cumberland, grocer and tea dealer, Aug. 8 at 11, and Sept. 13 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Lasenby, Wigton; Ingledew & Daggett, Newcastle-upon-Tyne.—Petition filed July 9.

ELIZA WAY, West Camel, Somersetshire, miller and baker, Aug. 7 at 11, and Sept. 4 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Newman & Lyon, Yeovil; Stogdon, Exeter.—Petition filed July 13.

MEETINGS.

John Wiza, Charlotte-street, Blackfriars-road, Surrey, gas fitter, Aug. 10 at 12, Court of Bankruptcy, London, last ex. and aud. ac.—**Anthony Edward Corvan**, Hampstead-road and Lisson-grove, Middlesex, baker, Aug. 10 at 11, Court of Bankruptcy, London, aud. ac.—**Thomas Greenhill**, Great Dover-st., Surrey, flour dealer, Aug. 23 at 11, Court of Bankruptcy, London, div.—**Joseph Frits Everett**, High Holborn, Middlesex, hydraulic engineer, Aug. 23 at half-past 11, Court of Bankruptcy, London, div.—**W. Ellison**, Stainesbury-road, Poplar, Middlesex, builder, Aug. 20 at 12, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

George Thornelee, High-street, Poplar, Middlesex, grocer, Aug. 22 at half-past 12, Court of Bankruptcy, London.—**James Keye**, Bridge-row-wharf, Pimlico, Middlesex, coal merchant, Aug. 22 at 12, Court of Bankruptcy, London.—**Henry Brading**, Shepherdess-walk, City-road, Middlesex, licensed victualler, Aug. 21 at 1, Court of Bankruptcy, London.—**Henry Scholefield**, Clare, Suffolk, chemist and druggist, Aug. 21 at half-past 12, Court of Bankruptcy, London.—**William Hayhurst**, Liverpool, coach proprietor, Aug. 22 at 11, District Court of Bankruptcy, Liverpool.—**Gaskell Johnson**, Liverpool, coal merchant, Aug. 27 at 11, District Court of Bankruptcy, Liverpool.—**Joak Crossley** and **Jonathan Crossley**, Bangor, Carnarvonshire, wine merchants, Aug. 26 at 11, District Court of Bankruptcy, Liverpool.—**Joseph Holroyd**, Dalton, near Huddersfield, Yorkshire, cotton dyer, Aug. 23 at 11, District Court of Bankruptcy, Leeds.—**Maurice Jarvis**, Leeds, Yorkshire, wool merchant, Aug. 22 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

James Ford, Colchester, Essex, ginger-beer manufacturer.

—**Sarah Pattison**, Winchester, Hampshire, glazier.—**Joseph Wofor**, Battersea, Surrey, manufacturing chemist.—**William Mailes**, Woolhope, Herefordshire, bark merchant.—**William Henry Ethell**, Birmingham, saddler.—**John Hawley**, Liverpool, confectioner.—**James Hurry**, Liverpool, wine merchant.—**William Hulme**, Manchester, tailor.

PARTNERSHIP DISSOLVED.

Thomas Selby, **Silas Norton**, and **Thos. Selby** the younger, West Malling, Kent, attorneys and solicitors, (the business will in future be carried on by Thomas Selby and Silas Norton).

SCOTCH SEQUESTRATION.

John Nelson, Edinburgh, poulterer.

DECLARATION OF INSOLVENCY.

Thomas Portwine, July 31 at 11, County Court of Kent, at Romney.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Wood, Dawley-green, Shropshire, surgeon, Aug. 17 at 10, County Court of Shropshire, at Madeley.—**John Ellis**, High Harrogate, Yorkshire, blacksmith, Aug. 22 at half-past 10, County Court of Yorkshire, at Knarborough.—**George Brown**, Knarborough, Yorkshire, tailor, Aug. 22 at half-past 10, County Court of Yorkshire, at Knarborough.—**Thomas Sanderson**, Gilling, near Richmond, Yorkshire, butcher, Aug. 13 at 10, County Court of Yorkshire, at Richmond.—**Edmund Hoggett**, Richmond, Yorkshire, saddler, Aug. 13 at 10, County Court of Yorkshire, at Richmond.—**John Rae**, Manchester, out of business, Aug. 9 at 1, County Court of Lancashire, at Manchester.—**Henry Smith**, Chorlton-upon-Medlock, Manchester, bookkeeper, Aug. 9 at 1, County Court of Lancashire, at Manchester.—**Samuel Checketts**, Ledbury, Herefordshire, veterinary surgeon, Aug. 24 at 10, County Court of Herefordshire, at Ledbury.—**George Walker**, Dudley, Worcestershire, nail factor, Aug. 16 at 3, County Court of Worcestershire, at Dudley.—**James Mantle**, Kate's-hill, Dudley, Worcestershire, builder, Aug. 16 at 3, County Court of Worcestershire, at Dudley.—**Julius Grainger**, Netherton, Dudley, Worcestershire, slaughterman, Aug. 16 at 3, County Court of Worcestershire, at Dudley.—**George Mallaby**, Middleham, Yorkshire, tailor, Aug. 15 at half-past 10, County Court of Yorkshire, at Leyburn.—**John Pickup**, Liverpool, eating-house keeper, Aug. 5 at 10, County Court of Lancashire, at Liverpool.—**George Archer**, Liverpool, butcher, Aug. 5 at 10, County Court of Lancashire, at Liverpool.—**John Peter Steele**, Liverpool, optician, Aug. 5 at 10, County Court of Lancashire, at Liverpool.—**J. Tyson**, Litherland, Litherland, Lancashire, dealer in glass, Aug. 5 at 10, County Court of Lancashire, at Liverpool.—**Thomas Denton**, Liverpool, glass dealer, Aug. 5 at 10, County Court of Lancashire, at Liverpool.—**Samuel Fisher Williams**, Liverpool, laceman, Aug. 5 at 10, County Court of Lancashire, at Liverpool.—**John Warren**, Liverpool, greengrocer, Aug. 5 at 10, County Court of Lancashire, at Liverpool.

Saturday, July 27.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Thomas Jonathan Page, South-street, Greenwich, Kent, silk manufacturer, No. 60,998 T.; Wm. Fisher, assignee.—**Eleanor Brown**, Hayes, near Uxbridge, Middlesex, schoolmistress, No. 61,642 T.; George Weller, assignee.—**Thomas Hilton**, Hulme, Manchester, plate-glass dealer, No. 72,629 C.; James Hartley, assignee.—**H. D. Gunter**, Birmingham, mine agent, No. 72,599 C.; Samuel Marsh, assignee.

Saturday, July 27.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—
(On their own Petitions).

John William Neale, Dempsey-street, Stepney, Middlesex, dealer in steam-engines: in the Debtors Prison for London and Middlesex.—**John Isaacs**, Hollywood-lodge, New Brompton, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—**David Hartigan**, Brompton-cottages, Church-road, Battersea, Surrey, proprietor of swings

in the Queen's Prison.—*Thomas Milstead*, Swan-place, Old Kent-road, Surrey, bricklayer: in the Gaol of Surrey.—*H. Blackboro*, Kent-place, Caledonian-road, Pentonville, Middlesex, linendraper: in the Queen's Prison.—*A. W. Cole*, Minerva-street, Eaton-square, Fimlico, Middlesex, barrister-at-law: in the Queen's Prison.—*John Sanderson*, Blackfriars-road, Surrey, umbrella maker: in the Queen's Prison.—*C. Harvey Weigall*, Wimbledon-common, Surrey, artist: in the Queen's Prison.—*John Laing*, Albert-terrace, London-road, Southwark, Surrey, cork merchant: in the Debtors Prison for London and Middlesex.—*Lewis Pesman Capua*, Dudley-st., Bloomsbury, Middlesex, assistant to a victualler: in the Debtors Prison for London and Middlesex.—*Edward Cook*, High-street, Borough, Surrey, farmer: in the Debtors Prison for London and Middlesex.—*H. E. Suckling*, Middleton-terrace, Queen's-road, Dalston, Middlesex, private tutor: in the Debtors Prison for London and Middlesex.—*C. Weller*, Rectory-cottages, Bloomfield-st. North, Kingland, Middlesex, upholsterer: in the Debtors Prison for London and Middlesex.—*Charles Tallent*, Borough-road, Southwark, Surrey, piano-forte dealer: in the Gaol of Surrey.—*Charles Paternoster*, Shaftesbury-place, Aldersgate-street, London, waiter: in the Debtors Prison for London and Middlesex.—*Samuel Jeffries Barish*, Upper Kennington-green, Kennington, Surrey, attorney-at-law: in the Debtors Prison for London and Middlesex.—*E. Moore*, Titchfield-terrace, St. John's-wood, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*James Langdon*, East-st., Manchester-square, Middlesex, brush manufacturer: in the Debtors Prison for London and Middlesex.—*Wm. Southgate*, High-st., Camden-town, Middlesex, clerk to the clerk of the church trustees of St. Pancras, Middlesex: in the Queen's Prison.—*R. Woolley*, Portsmouth, Hampshire, out of business: in the Queen's Prison.—*Wilkinson Graham*, Carlisle, Cumberland, slater: in the Gaol of Carlisle.—*John Doggett*, Filton, Gloucestershire, manager of the Anchor Inn: in the Gaol of Gloucester.—*Robert Miss*, Shrewsbury, Shropshire, linen manufacturer: in the Gaol of Shrewsbury.—*John Reaney*, Burton Leys, Nottinghamshire, stonemason: in the Gaol of Nottingham.—*P. Freyberg*, Liverpool, cab proprietor: in the Gaol of Lancaster.—*John Jardine Gallen*, Chorlton-upon-Medlock, Manchester, surgeon-dentist: in the Gaol of Lancaster.—*Wm. Carden Jones*, East Ilaley, Berkshire, agent for the sale of horses: in the Gaol of Winchester.—*Rich. Smith*, Liverpool, assistant to a corn dealer: in the Gaol of Lancaster.—*John Townsend*, Manchester, beer-house keeper: in the Gaol of Lancaster.—*Henry Winter*, Trafalgar-road, Old Kent-road, Surrey, rope manufacturer: in the Gaol of Reading.—*Wm. Hen. Hall*, Southampton, Hampshire, general merchant: in the Gaol of Southampton.—*Rich. Smith*, Bristol, tailor: in the Gaol of Bristol.—*John Maior Slack*, Darlaston, Staffordshire, linendraper: in the Gaol of Stafford.—*George Miles Bailly*, Liverpool, assistant to a grocer: in the Gaol of Lancaster.—*Christopher Darnbrough*, Cheetwood, Manchester, out of employment: in the Gaol of Lancaster.—*Thomas Humble*, Salford, Lancashire, grocer: in the Gaol of Lancaster.—*Samuel Reed Ludlow*, Chorlton-upon-Medlock, Manchester, out of business: in the Gaol of Lancaster.—*G. Ormesher*, Upholland, near Wigan, Lancashire, farmer: in the Gaol of Lancaster.—*Wm. Roitherham*, Skelmersdale, near Ormskirk, Lancashire, beerseller: in the Gaol of Lancaster.—*John Spicer*, Barking, Essex, blacksmith: in the Gaol of Springfield.—*John Sheldon*, Manchester, bricklayer: in the Gaol of Lancaster.—*Elisha Walton*, Hulme, Manchester, shoemaker: in the Gaol of Lancaster.—*George Webb*, Twyford, Hampshire, draper: in the Gaol of Winchester.—*George Prescott*, Ormskirk, Lancashire, farmer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Brecknockshire, at BRECKNOCK, Aug. 20 at 10.

Thomas Proger, Brynmawr, Llanelli, ironmonger.

At the County Court of Derbyshire, at DERBY, Aug. 17 at 11.

Thomas Cooper, Derby, butcher.

At the County Court of Leicestershire, at LEICESTER, Aug. 20.

Nathaniel Bryan, Goosepen, near Ashby-de-la-Zouch, out of business.

At the County Court of Warwickshire, at COVENTRY, Aug. 28.

Richard Pickering, Birmingham, auctioneer.—*H. Croft*, Birmingham, ropemaker.—*Wm. Gordon the younger*, Lichfield, attorney's clerk.—*Joseph Day*, Coventry, ribbon weaver.

INSOLVENT DEBTORS' DIVIDENDS.

Robert Cull, Ramsgate, Kent, cabinet maker: 10½d. in the pound.—*Alfred Stannard*, Langley-place, Commercial-road, Whitechapel, Middlesex, trimming seller: 1s. 4d. in the pound.—*Wm. Hen. Forman Edwards*, Derwent-villas, Ham-mersmith, Middlesex, teacher of drawing: 5s. 1½d. in the pound.—*John Willis*, Mary-st., Stangate, Lambeth, Surrey, retailer of beer: 1s. 6d. in the pound.—*E. Artolet*, Enfield-highway, Middlesex, butcher: 7s. 9½d. in the pound.—*Clearence Rhind*, Chatham, Kent, clerk in the dockyard: 6s. 4d. in the pound.—*Thomas Mercer the younger*, Thames Ditton, Surrey, tailor: 2s. 11½d. in the pound.

Apply to the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

FRIDAY, AUGUST 2.

BANKRUPTS.

CHARLES NEWTON, Donyfield-mills, near Wivenhoe, Essex, miller, dealer and chapman, Aug. 10 at 11, and Sept. 9 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. M'Leod & Stenning, 13, London-street, Fenchurch-street, London.—Petition dated July 22.

BENJAMIN HOMAN, Westbourne-terrace, Paddington, Middlesex, builder, dealer and chapman, Aug. 12 at half-past 11, and Sept. 9 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Surman, Lincoln's-inn.—Petition dated Aug. 1.

EDWARD M'LEOD, formerly of Stoke Newington, afterwards of Marchmont-street, and now of Haberdashers'-street, Hoxton, Middlesex, common brewer, Aug. 15 at half-past 1, and Sept. 5 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Lloyd, Milk-street, Cheap-side.—Petition dated July 22; filed July 24.

JOHN HANNAH, Huddersfield, Yorkshire, cloth dresser, dealer and chapman, Aug. 16 and Sept. 13 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sol. Booth, Leeds.—Petition dated and filed July 29.

JOHN APPLEBY, Skindiffe-mill, Durham, miller, Aug. 14 at 11, and Sept. 26 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Hoyle, Newcastle-upon-Tyne; Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition filed July 23.

MEETINGS.

Thomas Spratt, Sloane-terrace, Sloane-square, St. Luke's, Chelsea, Middlesex, coachmaker, Aug. 16 at half-past 11, Court of Bankruptcy, London, last ex.—*Alfred Allen Sutherland*, Stoke Ferry, Norfolk, grocer, Aug. 12 at 1, Court of Bankruptcy, London, last ex. and aud. ac.—*George Hanes*, Northampton, grocer, Aug. 21 at 12, Court of Bankruptcy, London, aud. ac.—*Charles O'Neill*, Golden-square, Middlesex, picture dealer, Aug. 21 at half-past 11, Court of Bankruptcy, London, aud. ac.—*John Burgess Numa*, Colchester, Essex, and Ipswich, Suffolk, tailor, Aug. 21 at 11, Court of Bankruptcy, London, aud. ac.—*John King Watts*, St. Ives, Huntingdonshire, scrivener, Aug. 12 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Benjamin Hornby*, Hoylake, Cheshire, innkeeper, Aug. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Winder* and *Richard Fisher*, Liverpool, merchants, Aug. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Page*, Wolverhampton, Staffordshire, coal dealer, Sept. 26 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Philippe Slinger*, *Edward Evans*, and *Solomon Cross*, Birmingham, manufacturers of crown and sheet glass, Sept. 24 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Alfred Glover*, Tetbury, Gloucestershire, hatter, Aug. 30 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Sept. 2 at 11, div.—*William Burridge the elder*, *William Burridge the younger*, and *John Burridge*, Portsmouth, Southampton, bankers, Aug. 23 at 12, Court of Bankruptcy, London, div.—*Edward Underhill*, Radnor-cottage, Chelsea, Middlesex, builder, Aug. 23 at 1, Court of Bankruptcy, London, div.—

Henry Brading, Shepherdess-walk, City-road, Middlesex, licensed victualler, Aug. 21 at 12, Court of Bankruptcy, London, div.—*John Chisholm* and *William Chisholm*, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumers, Aug. 23 at half-past 12, Court of Bankruptcy, London, div. sep. est. of *John Chisholm*.—*Benjamin Jefferies*, Worcester, boat-builder, Sept. 26, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas King Pyrke, Notting-hill, Middlesex, bookseller, Aug. 24 at 11, Court of Bankruptcy, London.—*Richard Dart* and *Joseph Brown*, Bedford-st., Covent-garden, Middlesex, coach-lace manufacturers, Aug. 24 at half-past 11, Court of Bankruptcy, London.—*Joseph Axford*, Stroud, Gloucestershire, mealman, Aug. 28 at 12, District Court of Bankruptcy, Bristol.—*Walter James*, Beaufort, Llangattock, Breconshire, provision dealer, Aug. 28 at 11, District Court of Bankruptcy, Bristol.—*Joseph J. M. Scott*, Liverpool, wine merchant, Aug. 26 at 11, District Court of Bankruptcy, Liverpool.—*Jonas Harrop*, Macclesfield, Cheshire, silk dyer, Aug. 26 at 12, District Court of Bankruptcy, Manchester.—*William Beaumont*, Rotherham, Yorkshire, grocer, Aug. 24 at 10, District Court of Bankruptcy, Sheffield.—*J. White*, Dudley, Worcestershire, innkeeper, Aug. 29 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Charles Wright, Crooked-lane, King William-st., London, commission agent.—*Samuel Mullen*, Ironmonger-lane, Cheap-side, London, hotel keeper.—*Richard Keitley*, Cheltenham, Gloucestershire, builder.

SCOTCH SEQUESTRATION.

David M^r Donald, Dunfermline, merchant.

DECLARATIONS OF INSOLVENCY.

George Davenport, Crewe, Cheshire, publican, Aug. 19, Broughton's, Nantwich.—*Sarah Jukes*, widow, Rodington-hall, Rodington, Shropshire, farmer, Aug. 16 at 10, Town-hall, Wellington.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Dunn, South Cave, East Riding, Yorkshire, horse dealer, Aug. 20 at 11, County Court of Yorkshire, at Beverley.—*Joseph Price*, Chester, newspaper writer, Aug. 8 at 12, County Court of Cheshire, at Chester.—*Chas. Hyde*, Monks Coppenhall, Cheshire, licensed victualler, Aug. 29 at 11, County Court of Cheshire, at Nantwich.—*Fred. Caldecott*, Needham-market, Suffolk, gentleman, Aug. 16 at 10, County Court of Suffolk, at Ipswich.—*Henry Woodyard*, Ipswich, Suffolk, ironfounder, Aug. 16 at 10, County Court of Suffolk, at Ipswich.—*J. Pooley*, Baddingham, Suffolk, merchant, Aug. 16 at 10, County Court of Suffolk, at Ipswich.—*J. Kitson*, widow, Shipley, Yorkshire, schoolmistress, Aug. 26 at 11, County Court of Yorkshire, at Bradford.—*Wm. Knott*, Lincoln, waterman, Aug. 19 at 10, County Court of Lincolnshire, at Lincoln.—*Robert Hancock*, Newcastle-upon-Tyne, nurseryman, Aug. 21 at 10, County Court of Northumberland, at Newcastle.—*James Renwick*, Winton, Durham, out of business, Aug. 26 at 10, County Court of Durham, at Gateshead.—*John Salkeld Tynemouth*, North Shields, Tyne-mouth, Northumberland, cabinet maker, Aug. 22 at half-past 9, County Court of Northumberland, at North Shields.—*Wm. Broadhouse*, Wednesbury, Staffordshire, coffin maker, Aug. 17 at 2, County Court of Staffordshire, at Oldbury.—*Edwards Constable*, West Bromwich, Staffordshire, grocer, Aug. 17 at 1, County Court of Staffordshire, at Oldbury.—*John Corbett*, Bilston, Staffordshire, provision dealer, Aug. 9 at 12, County Court of Staffordshire, at Wolverhampton.—*James Hellwell*, Bradford, Yorkshire, power-loom weaver, Aug. 26 at 11, County Court of Yorkshire, at Bradford.—*Lorina Joannina Maria Sisti*, Cheltenham, Gloucestershire, out of business, Sept. 17 at 10, County Court of Gloucestershire, at Cheltenham.—*Thomas Gray*, Rochester, Kent, ilor, Aug. 8 at 10, County Court of Kent, at Rochester.—*Geo. Elliott*, Pontefract, Yorkshire, saddler, Aug. 14 at 10, County Court of Yorkshire, at Pontefract.—*Wm. Horsell*,

Swindon, Wiltshire, plasterer, Aug. 16 at 11, County Court of Wiltshire, at Swindon.—*Arthur Taylor*, Kingsclere, Southampton, surgeon, Aug. 17 at 10, County Court of Berkshire, at Newbury.—*John Chandler Bennett*, Wellington, Shropshire, out of business, Aug. 16 at 10, County Court of Shropshire, at Wellington.—*Joseph Porter*, Pontypool, Monmouthshire, confectioner, Aug. 27 at 10, County Court of Monmouthshire, at Pontypool.—*Thomas Bernard*, Newport, Monmouthshire, master mariner, Aug. 20 at 10, County Court of Monmouthshire, at Newport.—*Thomas Bowen*, Blaenafon, Llanover Upper, Monmouthshire, dealer in provisions, Aug. 23 at 10, County Court of Monmouthshire, at Abergavenny.—*Thomas Sharrem*, Newport, Monmouthshire, tapster, Aug. 20 at 10, County Court of Monmouthshire, at Newport.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Aug. 10 at 11, before Mr. Commissioner PHILLIPS.

David Mendes, Middlesex-st., Aldgate, London, harness maker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at EXETER, Aug. 17 at 10.

Richard Stranger, Malborough, farmer.

At the County Court of Hampshire, at the CASTLE OF WINCHESTER, Aug. 16.

George Webb, Twyford, near Winchester, draper.—*W. C. Jones*, East Halsey, Berkshire, commission agent for the sale of horses.

At the County Court of Berkshire, at READING, Aug. 19 at 11.

Henry E. Fardell, Maidenhead, lieutenant in her Majesty's 9th Regiment of Foot.—*Chas. Viner*, Douglas-place, Queen's-road, Bayswater, Middlesex, traveller to a wholesale ironmonger.—*H. Winter*, Trafalgar-road, Old Kent-road, Surrey, out of business.

Aug. 23, at the same place.

Henry Harley, Windsor, stonemason.

At the County Court of Lincolnshire, at LINCOLN, Aug. 19 at 10.

Wm. Bradley, Corby, saddler.—*J. Hardment*, Spalding, licensed victualler.—*John V. Woolfitt*, Lincoln, pensioner.—*Louis Von Carnesall*, Great Grimsby, commission agent.—*Geo. Merriman*, Surfleet, near Spalding, in no business.

At the County Court of Staffordshire, at STAFFORD, Aug. 19 at 10.

John Cheatham, Aston, Warwickshire, carpenter.—*Joseph Lander*, Wednesbury, goldsmith's clerk.—*James Bull*, Stafford, in no business.—*Richard Cyples*, Stoke-upon-Trent, in no business.—*James Roberts*, Smethwick, manager to a steel manufacturer.—*John Major Slack*, Darlaston, in no business.

At the County Court of Lancashire, at LANCASTER, Aug. 16 at 11.

James Henshaw, Liverpool, common carrier.—*G. Prescott*, Ormskirk, out of business.—*John Tyrrell*, Liverpool, labourer.—*Elisha Walton*, Manchester, shoemaker.—*Christopher Darnbrough*, Chestwood, Manchester, out of employment.—*Thomas Humble*, Salford, out of business.—*John Sheldon*, Manchester, bricklayer.—*F. Wilson*, Pendleton, Manchester, out of business.—*Thos. Hoston*, Upholland and Dalton, near Wigan, coal proprietor.—*Geo. Walker*, Hulme, Manchester, salesman.—*William Thompson*, Newton-leath, Manchester, out of business.—*J. J. Gellan*, Charlton-upon-Medlock, Manchester, surgeon-dentist.

At the County Court of Pembrokeshire, at HAVERFORDWEST, Aug. 23.

John Francis, St. Dogwells, farmer.—*Thomas Mathias*, Haverfordwest, licensed victualler.

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July 19, 1850.

In the press, and shortly will be published, **THE TRUSTEE ACT, 1850**; being an Act to consolidate and amend the Laws relating to the Conveyance and Transfer of Real and Personal Property vested in Mortgages and Trustees; together with Notes, and an Introduction. By **THOMAS EMERSON READLAM**, Esq., M.P., Barrister at Law.

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The Jurist

No. 709—VOL. XIV.

AUGUST 10, 1850.

PRICE 1s.

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LONDON, AUGUST 10, 1850.

THERE is no scarcity of men who can work well and slowly, nor of those who can work quickly, but not well. There are a few who can work quickly and well, but not with an even temper; and a very few, and they are of the brighter spirits of the earth, who can work quickly and well, and withal maintain, under the pressure of their work, an even temper, and a courteous and almost playful demeanour, that give a zest to the transaction of the duller business.

Of the latter class of men is the learned judge who has been for some considerable time disposing alone of a great part of the business of nearly three courts of equity; and that, in such a manner, that though the rapidity with which each case has been disposed of has been something unusual even with a judge notoriously quick, yet the dissection of each case has been so complete, and the hearing given to counsel has been so patient, that we believe all have felt that their client's business has been thoroughly investigated, and that justice has been done.

It has been, however, but a fortunate accident, that, at the time when protracted indisposition in one instance, and sudden prostration of health in another, have deprived the suitors of the country of the services of two judges, there should happen to be a judge possessed of health, and energy, and talent, and above all of right goodwill, sufficient to enable him to get through the pressing business of his own court, and of no more besides.

Such a fortunate accident cannot and ought not to be counted upon; and there ought to be some mode of preventing, in case of unforeseen and protracted illness, such a stoppage of the business of the suitors as would

have taken place in the Court of Chancery during the latter part of this year, if there had not happened to be a judge willing to work himself to death, but, happily for himself and the country, strong enough in mind and body to get through the heavy task apparently without injury to health.

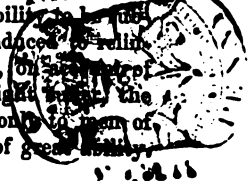
When a judge of the common law is unable to attend circuit, a serjeant is appointed to take his place, and be temporarily the judge; but when an equity judge is ill, or otherwise unavoidably prevented from sitting in his court, there is no alternative between his resignation and the closing of his court. Why should this be? Of course, to consider the resignation of a judge as a necessary consequence of mere illness, for a moderate or even for an exceedingly protracted period, would be foolish. On such terms first-rate men would not be obtained as judges, for no prudent man would sacrifice the position of a leading advocate in great business for that of a judge, if, as judge, his position were to be as dependent on health, and therefore as uncertain, as it would be if he remained in practice. We say nothing of the harshness and injustice that there would be in the State saying to a public servant, "So long as you are in health we will use you, but the moment you fail in the slightest degree you shall go." But there seems no good reason why, if a judge is ill for any such length of time as to cause public inconvenience, a temporary judge should not be appointed to do his duty pending his convalescence.

If it be said that men of sufficient ability to be substituted judges would not be easily induced to relinquish even for a time their practice, on account of the prospective injury which they might sustain, the answer is, that the argument applies only to men of great business, not necessarily to men of great ability.

VOL. XIV.

E E

NEWSPAPER



It assumes that necessarily there are no men of judicial ability, except those who have great business. No doubt leading counsel of great business would not consent to sit as temporary judges; but there are never wanting men who, though not of great business, are yet of sufficient learning to do sufficiently well the duties of judge, and who might be attracted by the temporary dignity and the temporary emolument. At any rate, even a middling judge is better than no judge, and the experiment is worth trial. An arrangement of this nature, or some other better, if there be any, we trust will hereafter, among other Chancery reforms, be placed at the disposal of Government, so that the suitors of the Court may not, if some of its judges are ill, be compelled to go without justice, unless they can get, what they cannot reckon upon always having, a judge with powers of labour so elastic as those of Vice-Chancellor Knight Bruce.

References.

1. *A Treatise on the Law relating to the Custody of Infants, in Cases of Difference between Parents or Guardians.* By WILLIAM FORSYTH, of the Inner Temple, Esq., Barrister at Law, and late Fellow of Trinity College, Cambridge; Author of "A Treatise on Composition with Creditors." Sm. 8vo., pp. 160.

[Benning.]

2. *Hortensius, or the Advocate: an Historical Essay.* By WILLIAM FORSYTH, Esq., M.A. 12mo., pp. 495.

[Murray.]

Mr. Forsyth's first legal publication, the *Treatise on Composition with Creditors*, is well known and esteemed, and has reached a second edition. The law relating to the custody of infants is a subject of less frequent and general interest, but it is one on which, when questions did arise, no one knew where to look for information. The difficulty was the greater, because, as Mr. Forsyth observes, the state of the law on the subject is not very satisfactory. The interference of the Courts depends so much on the exercise of discretionary powers, that it is impossible, upon general principles, to predict with any confidence the view which will be taken of a particular case; and it is therefore important to be acquainted with all the reported cases, in order to see what has been done under circumstances most nearly resembling those of the case in hand. Mr. Forsyth has diligently collected and clearly classified and stated the authorities, which he disposes under the following heads:—1. The rights of parents, and jurisdiction of Courts in questions of custody. 2. Interference of Courts of equity in questions of parental custody. 3. Interference of Courts of common law by writ of habeas corpus. 4. Questions of custody where the infant is illegitimate. 5. Where force or fraud has been used to get possession of infants. 6. Liberty of choice allowed to infants in questions of custody. 7. Law of custody in cases of guardianship. 8. Custody of infants under stat. 8 & 9 Vict. c. 54.

"Hortensius" must be already familiar to many of our readers. For the benefit of those who are still unacquainted with it, we may say that it is a very delightful history of advocacy, or, as Mr. Forsyth expresses it, the office and functions of an advocate, among the principal nations of ancient and modern times, by a scholar and a gentleman, who is also a well-read lawyer, as he shows by occasional brief, unobtrusive, and pertinent references to rules and distinctions of our own law.

In the chapters on the Athenian Courts and on Roman law and advocacy, classical readers will revive with interest and methodise their general recollections of the institutions and times when eloquence achieved its most splendid triumphs. To less learned readers, the author's clear and lively account of the times and manners, and his illustrations from some of the more interesting causes celebres, of which accounts have been preserved, will be at once interesting and instructive. The history of advocacy in France is treated in the same way. There, at least, though the advocates have always behaved with great boldness and independence, they were not left, as with us, entirely to their own guidance in matters of professional morality. Frequent edicts for the regulation of their practice were issued by the French Kings. Thus, in 1274, Philip the Bold "issued a royal ordinance which applied exclusively to advocates. By this they were obliged, under pain of being disbarred, to take an oath upon the holy Gospels that they would, both in their oral pleadings and their opinions upon cases submitted to them, discharge their duty with care, diligence, and fidelity; and would support causes only so long as they believed them to be just, but abandon them when they discovered that they were not. The amount of their fees was to be regulated by the importance of the cause and the ability of the advocate, (just as it is practically with us at present), but it was in no case to exceed thirty livres tournois." (P. 249).

At a later period these various regulations appear to have become methodised into a code of rules for the order.

"Amongst many other prohibitions we find the following:—

- "1. He was not to undertake just and unjust causes alike, without distinction, nor maintain such as he undertook with trickery, fallacies, and misquotations of authorities.
- "2. He was not in his pleadings to indulge in abuse of the opposite party or his counsel.
- "3. He was not to compromise the interests of his clients, by absence from court when the case in which he was retained was called on.
- "4. He was not to violate the respect due to the Court, by either improper expressions or unbecoming gestures.
- "5. He was not to exhibit a sordid avidity of gain, by putting too high a price upon his services.
- "6. He was not to make any bargain with his client for a share in the fruits of the judgment he might recover.
- "7. He was not to lead a dissipated life, or one contrary to the modesty and gravity of his calling.
- "8. He was not, under pain of being disbarred, to refuse his services to the indigent and oppressed.

"Throughout these rules we see that the analogy of knighthood is preserved, and the last breathes the very spirit of chivalry. Purity of life, and disinterested zeal in the cause of the poor and friends, were enjoined upon the cavalier and advocate alike; and doubtless the resemblance between the two professions, of which the latter was thus reminded, had a powerful effect in producing a tone of high-minded feeling, which ought ever to be the characteristic of the Bar. But sometimes this resemblance was carried further than was either safe or agreeable, and the advocate had to perform a warlike office, not in a figurative, but a literal sense. I allude to the appeal or wager of battle, whereby the sword was made the arbiter of disputes, and sanguinary duels were solemnly sanctioned by Courts of law." (P. 253).

It is much to be wished that some of these rules of the old French Bar were adopted in practice by our own. On this subject Mr. Forsyth takes a high ground, without running into impracticable puritanism:—

"But it is worth while to consider whether the accusation which is so commonly brought against lawyers, and especially in their character of advocates, that they violate a moral duty, by being ready to espouse either side of a question in a court of justice, is or is not well founded. If it be true, as Junius has said, that 'the indiscriminate defence of right and wrong contracts the understanding, while it corrupts the heart,' can such a blighting result flow from the profession of the law as it is practised in this country?"

"It would, indeed, be a humiliating reflection to think that the splendid triumphs of the Bar have been achieved by a venal prostitution of the intellect, that the stream of its eloquence is polluted at the source, and that the wonderful ingenuity and skill which mark the higher efforts of forensic oratory are little better than elaborate perversions of fact. 'To make the worse appear the better side' may be an intellectual, but can never be a moral, victory. Success in such a conflict has no innobling feature, and happily mankind are so constituted as to value the heart more than the head, and withhold approbation from those whose powers of argument are better than their principles. It is a remarkable and perhaps a distinguishing feature of the present time, that public reputation and influence must rest on a substratum of moral worth. Private character is of more importance now than at any former period; and when motives are suspected, the degree of influence exercised by an individual is small indeed. If, then, there exists in the minds of many an opinion—and it cannot be disguised that it does exist—that the profession of an advocate is inconsistent with the nice precepts of morality, it will have to undergo a more than ordinary share of odium; and from this odium it may not be unreasonable or impertinent briefly to attempt to vindicate the office."

"It seems probable that such an unfavourable opinion has arisen from confounding two things totally distinct—the duty of the advocate and the office of the judge. It must never be forgotten, that, in the case of pleading at the bar, these duties never coalesce. The individuals are different, and each has a separate province within which he has to act. Other situations and other circumstances are not analogous. In almost every place except a court of justice the speaker takes upon himself to decide upon matters of opinion and fact. If he be a member of a body in which the will of the majority is law, he is a party to the judgment which he has by his arguments supported. Without those arguments, the particular decision would, perhaps, not have been arrived at. He does not appeal to that majority as a body distinct from himself. Whether they agree with him or not, his speech is the open expression of that opinion which has determined him individually to vote in some particular way. If he sincerely believes that his views are correct and ought to be adopted, he is right in endeavouring to influence his hearers; if not, he is a hypocrite."

"But the situation of the advocate is very different. His business is to supply materials out of which a decision is to be formed by others; but not *all* the materials—only those which relate to one side and view of the question; for he does not stand before the tribunal to array conflicting probabilities and weigh minute differences, as though to him were committed the task of adjudicating between opposing claims. He is to urge, as forcibly as he can, all the arguments which may be suggested in favour of one particular side, and present them to the understanding of those whose duty and vocation it is to weigh everything that may be advanced on both sides, and carefully ascertain the validity of the reasoning by which they are respectively supported. All that an advocate undertakes to

perform, in the point of view in which we are now considering him, is this—he says, 'I will bring before the notice of the judge all that can be maintained in favour of one side of the question. The same will be done by my opponent, and the Court will decide between us.' He stands wholly separate and distinct from the tribunal, which pronounces its judgment upon the value it attaches to his arguments, and which recognises their cogency by adopting them, or shews its sense of their insufficiency by rejecting them. The only case in which we can conceive such a situation as this being fairly open to objection on the ground of morality, would be where the attainments and intellectual power of the advocate were so vastly superior to those of the tribunal he was addressing, that he could, as it were, force it to surrender its own judgment to his, and extort from it any sentence which suited that side of the cause on which he happens to be retained."

"But this is obviously a chimerical alarm. Such a phenomenon has never yet appeared in the courts of Westminster, and so long as the roll of judges continues to add to the list of the brightest names amongst the members of the Bar, we may safely predict never will. The motto of the Chevalier Bayard might well serve as the inscription over the gates of our courts of law, and 'Sans peur et sans reproche' proclaim to the world that impartial justice will be there dealt out to all, alike indifferent to the frowns of power, the temptations of corruption, and the subtle artifices of practised ingenuity. It is remarkable, however, that Puffendorf, in his *Law of Nature and Nations*, makes use of the argument derived from the difference between the functions of the advocate and the judge, to justify conduct revolting to common honesty, and contends for a degree of license in favour of the former which the most unscrupulous would hardly venture to claim. He says, 'For since the judge is supposed fully to understand the law, the advocate, by producing false laws or false authorities, is not likely to prevail to any purpose; and he is never credited upon his bare assertion, but obliged to produce sufficient proof. And therefore, if a guilty person do by this means sometimes escape unpunished, the fault is not to be charged on the advocate, or on the prisoner, but on the judge, who had not the wisdom to distinguish between right and wrong.' (P. 443)."

After shewing the mischief that would arise if counsel assumed a discretionary right of refusing to be engaged in cases of doubtful morality, Mr. Forsyth proceeds:—

"It will be said, however, that this is not fairly meeting the question, and that, by putting the hypothesis of a doubtful case, upon which there may be, previously to a judicial decision, considerable difference of opinion, we are avoiding the difficulty. Suppose the facts are such as to leave no doubt on the mind of the advocate that the cause of his client is morally unjust. Take, for instance, an informality in a will. The intention and wishes of the testator are clearly and unequivocally expressed, but there is a technical objection to the validity of the instrument, and the heir-at-law or nearest of kin seeks to take advantage of the mistake. What is the duty of the advocate then?"

"The answer, I think, is, that he may, with a safe conscience, undertake the cause of the party who seeks to set aside the instrument. If the objection is presented to the Court, the judges are bound by their oaths to give effect to it, supposing it to be valid; and how can it be wrong in an advocate to ask on behalf of another what the law says he has a right to receive?"

'The law allows it, and the Court awards it.'

'In such cases he does no more than point out the requirements of the law, just as he would, if consulted by a client on the question, give an opinion in conformity with that law, without reference to the practical consequences that might flow from it. It seems absurd to contend that he ought to decline to give a legal opinion at all in such a case; and if he is justified in doing that which first gives the client confidence in his claim, why may he not go one step further and support his own opinion by argument in a court of justice? But it does not follow from this, that in all cases where the law is in favour of a party, an advocate is bound to render his services to that party if he applies for them. He may well refuse to become the instrument to work out the ends of a mean and unprincipled malignity. He is not, of all men, to be left without discretion in the employment of the talents with which God has entrusted him. *Dabitur licentia sumpta pudenter.*

"The information given him may be so clear, and thereby the turpitude of his client so manifest, that he may be compelled to refuse the aid of his ingenuity. All must have read with pleasure of instances where advocates have indignantly thrown up their briefs, when facts of an atrocious nature have been unexpectedly elicited, and they have found that they have been unwittingly engaged in the support or defence of villany.

"Still less may he, under any pretence, or under any circumstances, connive at fraud. Let us put the case of a party who has been paid a debt due to him from another, but who has omitted to give a receipt, and knows that his former debtor has no means of proving the payment. Suppose he were to bring an action against the latter, and these facts were communicated to a counsel with his brief, and he knew that his client was seeking to recover his debt twice over, his duty is clear and imperative. He must decline to appear in such a cause, and leave the dishonest creditor to enforce his claim as he best may." (P. 450).

Again—"But it is not in civil cases, where the rights of parties depend so much upon technical and conventional rules, but in criminal cases, that the chief odium is incurred by the Profession; and if the license, which we sometimes see boldly challenged on its behalf, to sacrifice every consideration to the one object of enabling a client to escape conviction, were necessary for its exercise, it is not easy to see how that odium could be repelled. Such a license all right-thinking men must repudiate, and it tends only to the dishonour of a noble calling to represent it as requiring and justifying the use of trickery and falsehood. The principle is as clear as noon-day, that no man ought to do for another what that other cannot, without moral turpitude, do for himself. The advocate stands before the tribunal to plead the cause and represent the person of his client, *utimur enim fictione personarum*, et *velut ore alieno loquimur*, but he cannot possibly, by virtue of his agency, acquire rights greater than are possessed by his principal. He may not assert that which he knows to be a lie; he may not connive at, much less attempt to substantiate, a fraud; he may not avail himself of the wretched sophistry of Paley, and say, 'that there are falsehoods which are not lies—that is, which are not criminal, as where no one is deceived, which is the case in . . . a prisoner pleading not guilty—an advocate asserting the justice, or his belief of the justice, of his client's cause. In such instances no confidence is destroyed, because none was reposed; no promise to speak the truth is violated, because none was given, or understood to be given.' Every man is under an obligation to speak the truth if he speaks at all, and virtually promises to do so every time that he opens his lips. 'For there is in mankind,' says Jeremy Taylor, 'an universal con-

tract implied in all their intercourses, and words being instituted to declare the mind, and for no other end, he that hears me speak hath a right, in justice to be done him, that, as far as I can, what I speak be true, for else he by words does not know your mind, and then as good and better not speak at all.' If an advocate does not expect to be believed when he asserts his conviction of the innocence of his client, why does he volunteer the assertion at all? His only object must be to persuade the jury, by throwing into the balance the weight of his own asseveration, in order to make it incline in favour of a verdict of acquittal.

"It is painful to allude to two cases of recent occurrence, where attempts were made to secure the escape of criminals from conviction by directing suspicions against the innocent; and in each instance the prisoner had privately confessed his guilt, and the counsel was acquainted with this fact. The subject may be dismissed with the single observation, that the opinion of the Bar was in entire accordance with that of the public in condemning the line of defence adopted." (P. 459).

London Gazette.

TUESDAY, AUGUST 6.

BANKRUPTS.

CHARLES NEWTON, Donyland-mills, (and not Deepfield, as before advertised), near Wivenhoe, Essex, miller, dealer and chapman, Aug. 10 at 11, and Sept. 9 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. M'Leod & Stenning, 13, London-street, Fenchurch-street.—Petition dated July 19.

JOHN GRIFFITHS, Strand, Middlesex, linendraper and silkmercer, dealer and chapman, Aug. 19 and Sept. 13 at 11, Court of Bankruptcy, London: Off. Ass. Cannon; Sol. Depree, 9, Lawrence-lane, Cheapside.—Petition dated Aug. 3.

JOHN PAGE, Sidmouth, Devonshire, butcher, dealer and chapman, Aug. 15 and Sept. 18 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sol. Daw, Exeter.—Petition filed July 27.

JOHN VEALE ROWE, Bodmin, Cornwall, builder, dealer and chapman, Aug. 15 and Sept. 18 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Collins & Son, Bodmin; Stogdon, Exeter.—Petition filed Aug. 5.

MEETINGS.

John Thomas Earl, Lewisham, Kent, plumber, Aug. 16 at half-past 1, Court of Bankruptcy, London, and ac.: Aug. 29 at half-past 11, div.—Charles Lewis Spitta, Fred. Geoffrey Molling, and Henry Arthur Spitta, Lawrence Pountney-lane, London, merchants, Aug. 16 at half-past 1, Court of Bankruptcy, London, aud. ac.—Charles Dutton, Turvin, Cheshire, joiner, Aug. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—Jas. Amos and Charles Sutherland, St. Helen's-place, London, merchants, Aug. 27 at 11, Court of Bankruptcy, London, div.—Henry Waddington, Bridge-st., Blackfriars, London, merchant, Aug. 27 at 1, Court of Bankruptcy, London, div.—Geo. Douglas, Brunswick-place, Old Kent-road, Surrey, linendraper, Aug. 27 at 12, Court of Bankruptcy, London, div.—Charles O'Neil, Golden-square, Middlesex, picture dealer, Aug. 26 at 1, Court of Bankruptcy, London, div.—John De Levent, Wood-street, London, shirtmaker, Aug. 27 at half-past 11, Court of Bankruptcy, London, div.—Benjamin Jeffries, Worcester, boat builder, Sept. 26 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary in or before the Day of Meeting.

James Thomson, King-street, Camden-town, Middlesex, draper, Aug. 28 at 1, Court of Bankruptcy, London.—Wm. Carmalt, Romsey, Southampton, baker, Aug. 28 at 12, Court of Bankruptcy, London.—Joseph Robinson, High Holborn, Middlesex, bookseller, Aug. 28 at 11, Court of Bankruptcy,

London.—*John Belbin*, Besumont-street, Marylebone, Middlesex, coachmaker, Aug. 28 at half-past 12, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

James Covel Morris, Curtain-road, Shoreditch, Middlesex, cabinet maker.—*S. H. Leah* the younger, Romford, Essex, auctioneer.—*Wm. Varnam*, Ibstock, Leicestershire, draper.—*Thos. Mareden and Wm. Mareden*, Manchester, wharfingers.—*David M. Evans*, Wrexham, Denbighshire, draper.

PETITION ANNULLED.

Wm. Ridley, Cowleraley, Linthwaite, Almondbury, Yorkshire, contractor for public works.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Graham, Maryport, Crosscannonby, Cumberland, innkeeper, Aug. 28 at half-past 9, County Court of Cumberland, at Cockermouth.—*Thomas Weedon*, Great Missenden, Buckinghamshire, cattle dealer, Aug. 14 at 11, County Court of Buckinghamshire, at Chesham.—*James Croson*, Great Marlow, Buckinghamshire, baker, Aug. 12 at 11, County Court of Buckinghamshire, at High Wycombe.—*E. Harding*, Gloucester, painter, Sept. 9 at 10, County Court of Gloucestershire, at Gloucester.—*Richard Griffiths*, Wem, Shropshire, innkeeper, Aug. 19 at 12, County Court of Shropshire at Wem.—*Joseph Beech*, Walsall, Staffordshire, bricklayer, Aug. 21 at 12, County Court of Staffordshire at Walsall.

Saturday, Aug. 3.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

William Grimstone, Oxford-street, Middlesex, snuff manufacturer, No. 61,463 T.; *James Carrall*, assignee.—*Thomas Rutter*, Lillington-street, Vauxhall-bridge-road, Middlesex, plasterer, No. 61,669 T.; *John Hutchinson*, assignee.—*Henry Slim*, Caroline-place, Trevor-square, Knightsbridge, Middlesex, milkman, No. 61,675 T.; *George Slim*, assignee.—*Cuthbert Fisher*, Preston, Lancashire, retail dealer in ale, No. 69,113 C.; *Nixon Marshall*, assignee.—*George Simpson Haigh*, Northowram, near Halifax, Yorkshire, manufacturer, No. 72,577 C.; *Joseph Lister*, assignee.—*John Gyde*, Cheltenham, Gloucestershire, coal merchant, No. 72,634 C.; *Edgar Coxe*, assignee.

Saturday, Aug. 3.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Henry Turner, King-street, Old Kent-road, Surrey, cheesemonger: in the Gaol of Surrey.—*William Hunter*, Upper-street, Islington, Middlesex, clerk to a cheesemonger: in the Debtors Prison for London and Middlesex.—*Gilmore Burichaell*, Edward-street, Hampstead-road, Middlesex, formerly lieutenant in the Royal Artillery: in the Queen's Prison.—*James Thomas Jackson*, Piccadilly, Middlesex, manager of an hotel: in the Debtors Prison for London and Middlesex.—*Charles Richard Carter*, De Beauvoir-square, King'sland, Middlesex, commission agent for the sale of cabinet furniture: in the Debtors Prison for London and Middlesex.—*Joseph Mathew*, Middleton, near Manchester, cotton-yarn dresser: in the Gaol of Lancaster.—*William McLean* the younger, Brompton, near Northallerton, Yorkshire, joiner: in the Gaol of York.—*John Roberts*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*William Rose*, Colchester, Essex, brewer: in the Gaol of Springfield.—*Frederick Wilson*, Pen-leton, Manchester, silk manufacturer: in the Gaol of Lancaster.—*George Walker*, Hulme, Manchester, salesman: in the Gaol of Lancaster.—*John Warrington*, Hulme, Manchester, warehouseman: in the Gaol of Lancaster.—*Robert Alderton*, wallwell, Durham, cheese dealer: in the Gaol of Newcastle-upon-Tyne.—*J. Brett*, Sneinton, Nottinghamshire, accountant's clerk: in the Gaol of Nottingham.—*William Downes*, Worthen, Shropshire, omnibus proprietor: in the Gaol of Shrewsbury.—*Joe. Elliott*, Newcastle-upon-Tyne, fire-brick manufacturer: in the Gaol of Newcastle-upon-Tyne.—*Wm. Fort*, Birmingham, tailor: in the Gaol of Coventry.—*Richard stranger*, Alstone Farm, Marlborough, Devonshire, farmer:

in the Gaol of St. Thomas the Apostle.—*John Wisack*, Dunt-lane Farm, Hurst, Berkshire, farmer: in the Gaol of Reading.—*Charles Brook*, Charwell, near Leeds, Yorkshire, innkeeper: in the Gaol of York.—*Wm. Gough*, Cheetham, Manchester, dealer in boots and shoes: in the Gaol of Lancaster.—*Clement Nuttall*, Bacup, Lancashire, licensed victualler: in the Gaol of Lancaster.—*J. Downing*, Bristol, Somersetshire, accountant: in the Gaol of Wilton.—*James Mather*, Alton, Staffordshire, paper manufacturer: in the Gaol of Stafford.—*Thos. Turner*, Shavington-cum-Gresty, near Nantwich, Cheshire, attorney-at-law: in the Gaol of Chester.—*Joseph Dixon*, Neath, Glamorganshire, travelling draper: in the Gaol of Cardiff.—*Robert Godbold*, Mendham, near Harleston, Suffolk, machine-maker: in the Gaol of Ipswich.—*Wm. Francis Pond*, Eton, Buckinghamshire, baker: in the Gaol of Reading.—*Joseph Raphael*, Chester, dealer in cigars by commission: in the Gaol of Chester.—*Henry Harley*, New Windsor, Berkshire, stonemason: in the Gaol of Reading.—*John W. Roberts*, Bristol, Somersetshire, fellmonger: in the Gaol of Bristol.—*John P. Smith*, Pontypool, Monmouthshire, skinner: in the Gaol of Monmouth.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, Aug. 21 at 10.

Robert Alderton, Swalwell, out of business.—*Joe. Elliott*, Newcastle-upon-Tyne, out of business.

At the County Court of Shropshire, at SHREWSBURY, Aug. 20 at 10.

Wm. Downes, Worthen, omnibus proprietor.—*Robt. Minn*, Shrewsbury, linen manufacturer.

FRIDAY, AUGUST 9.

BANKRUPTS.

RICHARD GROVES WARD, (sometimes carrying on trade under the name of Richard Ward), Brownlow-st., Drury-lane, Middlesex, coach carrier, dealer and chapman, Aug. 19 at 12, and Sept. 20 at half-past 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Ward, 38, Keppel-st., Russell-square.—Petition dated Aug. 5.

THOMAS WILLIAM DORNFORD, Suffolk-lane, Cannon-street, London, wine merchant, dealer and chapman, Aug. 16 at 1, and Oct. 4 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Innes, 20, Billiter-street.—Petition dated Aug. 5.

FREDERICK BENNETT, Clapham-rise, Clapham, Surrey, soda water manufacturer, dealer and chapman, Aug. 17 at 12, and Sept. 30 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Innes, 20, Billiter-street.—Petition dated Aug. 8.

EDWIN HYRONS, John-street, Tottenham-court-road, Middlesex, pianoforte manufacturer, (trading under the style or firm of Hyrons & Co.), Aug. 22 at half-past 12, and Sept. 30 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Cox, Finner's-hall, Old Broad-street.—Petition dated Aug. 9.

HENRY CHARLES KNELL, Belvedere-road, Lambeth, Surrey, timber merchant, dealer and chapman, Aug. 20 at half-past 12, and Sept. 21 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Stenning, 3, Basinghall-street, London.—Petition dated July 30.

THOMAS CLARKE, Newport, Monmouthshire, grocer, dealer and chapman, Aug. 23 and Sept. 25 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Perkins, Bristol.—Petition filed Aug. 5.

SAMUEL PARNALL, East Looe, Cornwall, grocer and draper, dealer and chapman, Aug. 20 at 11, and Sept. 18 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Hobbs, Bristol; Stogdon, Exeter.—Petition filed Aug. 7.

GEORGE WILLIS HINCHLIFFE, Sheffield, Yorkshire, manufacturer and factor, dealer and chapman, Aug. 24 and Sept. 21 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Saxelbye, Hull; Hornfall & Harrison, Leeds.—Petition dated July 29.

WILLIAM BRIDDON, Bootle, Liverpool, manufacturing chemist, charcoal manufacturer, dealer and chapman, Aug. 16 and Sept. 20 at 11, District Court of Bankruptcy, Liverpool: *Off. Asa. Turner*; *Sol. Holden*, Liverpool.—Petition filed July 29.

MARRIAGES.

Joseph Netting, Poole, Dorsetshire, currier, Sept. 2 at 12, Court of Bankruptcy, London, *pr. d.*—*Geo. Burnett Abelson*, Portsmouth, Southampton, coal merchant, Aug. 22 at 12, Court of Bankruptcy, London, last ex.—*Thomas King* the younger, King's-terrace, East Greenwich, Kent, builder, Sept. 3 at 1, Court of Bankruptcy, London, last ex.—*J. Murray*, Sunderland, Durham, ship chandler, Aug. 27 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*H. Waddington*, Bridge-street, Blackfriars, London, merchant, Aug. 21 at 1, Court of Bankruptcy, London, and *ac.*—*John Perko*, Cross-street, Islington, Middlesex, furrier, Sept. 2 at 12, Court of Bankruptcy, London, and *ac.*—*James Welch*, Westbury, Wiltshire, innkeeper, Sept. 3 at half-past 11, Court of Bankruptcy, London, and *ac.*—*William D. Hay*, Newcastle-upon-Tyne, baker, Aug. 20 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and *ac.*—*J. Hawley*, Liverpool, confectioner, Aug. 30 at 11, District Court of Bankruptcy, Liverpool, and *ac.*—*Geo. A. Munro*, Liverpool, merchant, Aug. 30 at 11, District Court of Bankruptcy, Liverpool, and *ac.*—*D. Williams*, Bangor, Carnarvonshire, victualler, Aug. 29 at 11, District Court of Bankruptcy, Liverpool, and *ac.*—*P. A. Black* and *J. Whittingham*, Liverpool, general brokers, Aug. 23 at 11, District Court of Bankruptcy, Liverpool, and *ac.*; Aug. 29 at 11, div.—*Joseph F. Heathcoat*, Leicester, chemist, Aug. 30 at 10, District Court of Bankruptcy, Nottingham, and *ac.*—*Charles Curtis*, Nottingham, corn factor, Aug. 30 at 10, District Court of Bankruptcy, Nottingham, and *ac.*—*Wm. Parvett*, Leicester, stone-mason, Aug. 30 at 10, District Court of Bankruptcy, Nottingham, and *ac.*—*John Bodily*, Southam, Warwickshire, farmer, Sept. 17 at 10, District Court of Bankruptcy, Birmingham, and *ac.*—*Zacchew Stafford*, Nottingham, innkeeper, Aug. 30 at 10, District Court of Bankruptcy, Nottingham, and *ac.*—*Levis L. Whittle*, Bolton, Lancashire, grocer, Aug. 21 at 12, District Court of Bankruptcy, Manchester, and *ac.*—*Jas. Parr*, Manchester, cotton manufacturer, Aug. 21 at 12, District Court of Bankruptcy, Manchester, and *ac.*—*George Fletcher Sharples*, Manchester, hosier, Aug. 20 at 12, District Court of Bankruptcy, Manchester, and *ac.*—*James Livesey*, Bury, Lancashire, cotton spinner, Aug. 20 at 12, District Court of Bankruptcy, Manchester, and *ac.*—*J. Spencer*, Manchester, cotton spinner, Aug. 20 at 12, District Court of Bankruptcy, Manchester, and *ac.*—*Jacob Mill*, Crosby-hall-chambers, Bishopsgate-street Within, London, merchant, Sept. 4 at 11, Court of Bankruptcy, London, div.—*Henry Carey Brown*, Winchester, Southampton, builder, Sept. 4 at half-past 11, Court of Bankruptcy, London, div.—*Richard Mills* and *George Puckle*, Southwark, and Corn Exchange, Mark-lane, London, hop factors, Sept. 11 at 11, Court of Bankruptcy, London, div.—*James Stuart Dobson*, Harlow, Essex, surgeon, Sept. 5 at 12, Court of Bankruptcy, London, *2n. div.*—*John Peake*, Crick-lade, Wiltshire, draper, Sept. 10 at 2, Court of Bankruptcy, London, div.—*John Morgan* the elder and *John Morgan* the younger, Hereford, and Glasbury, Radnorshire, woolstaplers, Sept. 17 at 10, District Court of Bankruptcy, Birmingham, and *ac.*; Sept. 23 at 10, div.—*A. K. Holman*, Wortley, Leeds, Yorkshire, cloth manufacturer, Aug. 30 at 11, District Court of Bankruptcy, Leeds, div.—*John Clarke* and *Edward Dearden*, Bury and Radcliffe, Lancashire, grocers, Sept. 3 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Edward J. Gill, Gloucester, auctioneer, Sept. 2 at 1, Court of Bankruptcy, London.—*John Perko*, Cross-st., Islington, Middlesex, furrier, Sept. 2 at 12, Court of Bankruptcy, London.—*Chas. Veneer*, Tunbridge Wells, Kent, builder, Sept. 4 at 12, Court of Bankruptcy, London.—*Frederick Tapley*, Warminster, Wiltshire, linen-draper, Sept. 5 at 11, Court of Bankruptcy, London.—*Wm. G. Moss*, High-street, Peckham, Surrey, licensed victualler, Sept. 5 at half-past 11, Court of Bankruptcy, London.—*Wm. H. Griffiths*, Newtown, Mont-

gomeryshire, ironmonger, Aug. 30 at 11, District Court of Bankruptcy, Liverpool.—*John Whittingham*, Liverpool, provision broker, Aug. 30 at 11, District Court of Bankruptcy, Liverpool.—*Thomas Coagill*, Bradford, Yorkshire, grocer, Sept. 16 at 11, District Court of Bankruptcy, Leeds.—*Joseph Boycot*, Kidderminster, Worcestershire, draper, Sept. 12 at 12, District Court of Bankruptcy, Birmingham.—*John Stomont* and *Wm. Stomont*, Shifnal, Shropshire, iron manufacturers, Sept. 17 at half-past 12, District Court of Bankruptcy, Birmingham.—*Wm. Jackson*, Lichfield, wine merchant, Sept. 17 at 10, District Court of Bankruptcy, Birmingham.—*Thos. Loeche*, Exeter, provision dealer, Sept. 18 at 1, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Wm. Tyer, Gosport, Southampton, shoemaker.—*Thos. Smith*, Liverpool, cheesemonger.—*John Waring*, Liverpool, draper.—*Thos. Moss*, Brierley-hill, Staffordshire, boiler manufacturer.—*John Serdy*, Sheffield, Yorkshire, steel maker.

SCOTCH SEQUESTRATIONS.

James Forman, Pitfour, Perthshire, commission agent.—*Ellis Woodhead*, Edinburgh, surgeon.—*Alas. M'Pherson*, Dundee, draper.—*David Rodgers*, Edinburgh, warehouseman.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Job Jones, Southwold, Suffolk, stationer, Aug. 21 at 2, County Court of Suffolk, at Halesworth.—*Thomas Oldham*, Kenilworth, Warwickshire, butcher, Aug. 26 at 10, County Court of Warwickshire, at Warwick.—*John Fenlon*, Halesworth, Suffolk, dancing master, Aug. 21 at 2, County Court of Suffolk, at Halesworth.—*D. Chubb*, Derrigate, Northamptonshire, shoe manufacturer, Aug. 21 at 10, County Court of Northamptonshire, at Northampton.—*C. W. Dodd*, Leamington, Warwickshire, licensed victualler, Aug. 26 at 10, County Court of Warwickshire, at Warwick.—*Mark Bicknell*, Leamington Priors, Warwickshire, butcher, Aug. 26 at 10, County Court of Warwickshire, at Warwick.—*John Cleaver* the younger, Northampton, in no business, Aug. 21 at 10, County Court of Northamptonshire, at Northampton.—*John Turner Whitgrove*, Dudley, Worcestershire, grocer, Aug. 16 at 3, County Court of Worcestershire, at Dudley.—*D. Richards*, Cardiff, Glamorganshire, cordwainer, Aug. 24 at 10, County Court of Glamorganshire, at Cardiff.—*Wm. Atkins*, Cardiff, Glamorganshire, butcher, Aug. 24 at 10, County Court of Glamorganshire, at Cardiff.—*G. Gervasey*, Bristol, accountant, Sept. 2 at 11, County Court of Gloucestershire, at Bristol.—*John Locke Millard*, Bristol, baker, Sept. 9 at 11, County Court of Gloucestershire, at Bristol.—*John Roberts*, Bristol, corn dealer, Aug. 26 at 11, County Court of Gloucestershire, at Bristol.—*Richard Smith*, Oxford, shoemaker, Aug. 27 at 2, County Court of Oxfordshire, at Oxford.—*Thos. Arnold*, Oxford, bricklayer, Aug. 27 at 2, County Court of Oxfordshire, at Oxford.—*Jas. Slatter*, Oxford, carpenter, Aug. 27 at 2, County Court of Oxfordshire, at Oxford.—*John Sater*, Reigate, Surrey, plumber, Aug. 16 at 9, County Court of Surrey, at Reigate.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at Gloucester, Sept. 9 at 10.

George Clay the younger, Ledbury, dealer in hay.—*Alfred Doggett*, Filton, out of business.

At the County Court of Gloucestershire, at Bristol, Aug. 26 at 11.

Richard Smith, Bristol, tailor.

Aug. 28, at the same hour and place.

John Wesley Roberts, Bristol, fellmonger.

At the County Court of Warwickshire, at Warwick, Aug. 26.

Thomas Bird Bailey, Coventry, fringe manufacturer.—*Day* the elder, Coventry, ribbon manufacturer.—*Henry Day*, Coventry, undertaker.—*Joseph Day*, Coventry, ribbon weaver.

At the County Court of Yorkshire, at YORK CASTLE, Aug. 24 at 10.

Charles Brook, Churwell, near Leeds, out of business.—Wm. Hopkinson, Bay Hall, near Huddersfield, labourer.—Wm. McLean the younger, Brompton, near Northallerton, joiner.—Richard Outhwaite, South Otterington, near Northallerton, out of business.

At the County Court of Northamptonshire, at NORTHAMPTON, Aug. 21.

John Robinson, Long Buckby, near Daventry, baker.

At the County Court of Berkshire, at READING, Aug. 23 at 10.

Henry Harley, New Windsor, stonemason.—William Francis Pond, Eaton, baker.

At the County Court of Glamorganshire, at CARDIFF, Aug. 24.

Joseph Dickson, Neath, travelling draper.

At the County Court of Carmarthenshire, at CARMARTHEN, Aug. 27 at 2.

John Davies, Tynewydd, Alltynap, Llanllwch, labourer.

MEETINGS.

Richard Parkinson the younger, Barholm, near Stamford, Lincolnshire, farmer, Aug. 28 at 10, Talbot-inn, Oundle, Northamptonshire, sp. aff.

The Queen has been pleased to appoint George Van Buren, Esq., to be her Majesty's Solicitor-General for the island of Tobago.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—George Gore Ouseley Higgins, Esq., for the county of Mayo, in the room of Robert Dillon Browne, Esq., deceased; the Hon. Thomas Knox, commonly called the Viscount Northland, for the borough of Dungannon; William Williams, Esq., for the borough of Lambeth, in the room of Charles Pearson, Esq., who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

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The Jurist

No. 710—Vol. XIV.

AUGUST 17, 1850.

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LONDON, AUGUST 17, 1850.

MR. TURNER'S bill for diminishing the delay and expense of proceedings in the Court of Chancery has been passed into law without any material alteration; and as it may have the effect of introducing some very important changes in the practice of the Court of Chancery, we shall proceed to consider some of its provisions.

The most important enactments are those relating to special cases; and of those the most important feature is, perhaps, the power given to the Court of Chancery to declare its opinion on the construction of written instruments, without proceeding to administer relief consequent on such declaration. The clause to which we refer is the 14th, by which it is enacted, "that it shall be lawful for the said Court, upon the hearing of any such special case as aforesaid, to determine the questions raised therein, or any of them, and by decree to declare its opinion thereon, and, so far as the case shall admit of the same, upon the right involved therein, without proceeding to administer any relief consequent upon such declaration; and that every such declaration of the said Court contained in any such decree shall have the same force and effect as such declaration would have had, and shall be binding to the same extent as such declaration would have been, if contained in a decree made in a suit between the same parties instituted by bill: provided always, that it shall be lawful for the said Court, if it shall see fit so to do, before proceeding to make such decree as aforesaid, to send any case or cases for the opinion of any of Her Majesty's Courts of common law, reserving the consideration of all further directions and of the costs, and to make such decree as aforesaid upon such further directions; provided also, that if, upon the hearing of

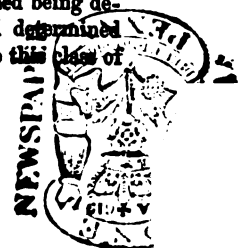
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such special case as aforesaid, the Court shall be of opinion that the questions raised thereby, or any of them, cannot properly be decided upon such case, the said Court may refuse to decide the same."

The importance of this enactment will be more appreciated if we recollect the rule laid down, or rather treated as settled beyond question, in *Say v. Creed*, (3 Hare, 455), viz. that the Court will not, in a suit for the execution of the trusts of a will, decide on any question of construction, without first taking the accounts, except on the following conditions, viz. that all of every class entitled to take, shall be parties to the suit; all competent to bind themselves; and all waiving the taking the accounts; and that the personal representative shall admit assets for all purposes—conditions of which it may be fairly said that not one case brought before the Court in a year comes up to them. (See also *Mitford v. Reynolds*, Ph. 185).

Again, it is a well-known rule of the Court, that it will not decide on the construction of instruments as between parties or classes, some of whose interests, if existing at all, are contingent on the parties being in existence on the happening of some future event; as, for instance, in the case where a fund is given to a tenant for life, and after his decease it purports to be disposed of in favour of a given class, if then living, but in such words that it is doubtful whether the gift to the class does not fail. There the Court will not decide the question between the contingent remaindermen and the next of kin till the death of the tenant for life, because, possibly, then the class may not exist, and there will be no question to decide. Now, this rule of practice is often very inconvenient, all parties concerned being desirous to have the construction of the will determined during the life of the tenant for life. To this class of



cases, as well as to cases where, before, the Court would not determine until the accounts were taken, we suppose that the new act will be applicable.

With regard to the cases where, by the practice of the Court, there must be a preliminary inquiry to ascertain whether there is a fund, the inconvenience of the rule is still greater, as it becomes frequently necessary to go through considerable expense and delay to ascertain what no one connected with the estate doubts, only because some of the parties are incompetent, by reason of infancy or other disability, to bind themselves. In all these cases the new act seems to provide for the due representation of all such interests of persons under disability, so as to enable the Court to determine rights without decreeing relief, leaving it to the trustees or other holders of the fund, to act upon their own knowledge of the facts. Of course, the effect of the 15th section, giving protection to trustees and executors doing any act pursuant to the declaration of rights made by the Court, will only be to protect them as regards the declaration of rights, not as against any incorrectness in the statement of any facts contained in the case, or any incorrectness in regard to any other facts, so far as such incorrectness may affect any persons not parties to the case.

THE REGISTRATION AND CONVEYANCING COMMISSION.

(Continued from p. 275).

THE commissioners have published, in addition to the Report, and a short supplementary paper by the two dissentient commissioners, the following papers and evidence :—

1. A communication from Mr. Downie, of the General Register-house, Edinburgh, as to the proposed registry of deeds in England, containing some useful practical suggestions with reference to Mr. Duval's plan.

2. A letter from the late Mr. Bell to Mr. Duval, as to excluding the effect of notice except in cases of actual fraud.

3. A paper by Mr. Sanders, (the secretary to the commission), as to registration in Belgium, with maps and forms.

4. A paper by Mr. George B. Robertson, (of the Edinburgh Register-house), explaining the Scotch system, with the report of a committee of the Society of Writers to the Signet as to some proposals for amendment.

5. A paper by Mr. J. M. Ludlow on registration in various foreign countries.

6. An historical account of registration in England, by Mr. Sanders.

7. A complete collection of the forms for carrying Mr. Wilson's plan into effect, with a letter from that gentleman explaining merely the general principle of his plan. (These forms, which exhibit the working of the plan in the minutest details, are subsequently explained at length in Mr. Wilson's evidence).

8. A letter from Mr. Fane as to notice of acts of bankruptcy.

9. *Projet de loi sur le renouvellement et la conservation du Cadastre*, (France).

The minutes of evidence contain the examinations of Messrs. Peirce Mahony, James Stewart, Robert Wilson, J. H. Christie, James Bacon, C. T. Swanston, Charles Trevor, (Comptroller of Legacy-duties), and Captains Dawson (of the Tithe Survey) and Yolland (of the Ordnance Survey).

Mr. Mahony, who is a solicitor in extensive practice in Ireland, speaks to the enormous labour and expense occasioned by the present system of registration in Ireland :—

"First we make what is called a common search; that is, the solicitor of the vendor makes a search; all acts which he finds on record are set down in chronological order. He then transmits that search, with copies of the deeds he possesses, to the solicitor for the vendee. They then frame what is called the requisition for a negative search, by which they call on the registrar to give a list of all acts relating to the lands or the parties they name, except so and so, giving for exception every one of the acts of which they are cognisant. This being done by the parties engaged in the sale, it becomes then the duty of the registrar to have his records examined *de novo*; so that a double search, in fact, takes place; and if a negative search, for which the registrar becomes personally responsible, is required, he (as I am told) invariably employs three separate persons to make it, each independently of the other; and when they have finished their labours, the three searches so made for him are compared one with the other before the negative search is written out for his signature. It is apparent that, by this system, four checks against error are established for the safety of the registrar and the purchaser." (P. 445).

"As another example of the expense of searches, I may state that Mr. Bockett, as solicitor for the Law Life Assurance Company, who are about to advance 600,000*l.* on the Earl's estates, tells me that, even with the aid of that very search which I have just mentioned, he and Mr. Kinderley, as solicitor for the present Earl, estimate the expense of continuing it from 1832 at from 1500*l.* to 2000*l.* He also tells me, that to avoid a negative search, without the exceptions I have just described, it was deemed economical to allow the solicitor making out the title to the late Mr. Thomas Martin's estates in the county of Galway, 1200*l.* for a common search." (P. 445).

The search, when made, appears to be trustworthy as far as it goes. But on account of the enormous expense of a complete search, either the common search is relied on, or counsel is required to draw instructions for a negative search, i. e. to use his discretion as to what searches may be omitted without much risk. Thus Mr. Christie says, (p. 512), "From a set of instructions for searches, in which I cannot say any were improper, I cut out two-thirds, risking it rather than incur the enormous expense; and when the instructions were so pruned, I was told that the searches would still cost about 700*l.* I was told, at the same time, that in the year 1837 a search had been made which cost 1300*l.*, which, upon what grounds I could not understand, was a search that was wholly useless for the new purpose. . . . In point of time, these searches, I mean searches of any extent, always occupy months. . . . I have never seen searches which, when you came to look at the instructions with reference to the abstract, were complete. It is done in a perfunctory way. . . . I would much rather peruse the abstract, than, having perused the abstract, begin and draw instructions for searches; the task is quite frightful."

The searches, thus imperfectly and expensively made, lead to memorials only, not to the deeds themselves; and memorials for registry, it is well known, are considered to be best drawn when they give least information. Whether the deeds, &c., to which the memorials relate, can be procured, is a mere chance; often neither the originals nor copies or abstracts of a large number of them can be found. The registry gives notice to the intending purchaser that there is a deed, which he may find or not, at his own peril. Thus the Irish registry, having answered the purposes of oppression and confirmation for which it was established, has now become a

grievous burthen upon the descendants of the conquerors who devised it.

We shall take another opportunity of adverting to Mr. Wilson's evidence. That of Captains Dawson and Yolland is conclusive in favour of a public map, and gives some useful information on matters of detail. The course of examination pursued by some of the commissioners with reference to the map question strikes us as being remarkably puerile.

Mr. Christie's examination will repay a careful perusal. It exhibits the rare and refreshing spectacle of a powerful and cultivated mind instructed and sobered, but not contracted, by a long and arduous professional practice. Much of Mr. Christie's evidence relates to the subject of shortening conveyances. He of course condemns the absurd scheme of incorporating clauses into a deed by reference to an act of Parliament.

"Have you formed any opinion whether anything could be done in the way of shortening conveyances by annexing incidents to particular subjects?"—I can very well fancy that something could be done in that way; I think something might be done. You might say, that whenever a trust for sale was created, it should empower the trustee to exercise this and that discretion. *But then I would do it in the mode of annexing that to his office*, not in the form we were referring to of saying it should have the effect of such and such words; I would let the Legislature say, in its own words, what it means to enact on the subject.

"In the case of a mortgage, for instance, you would say such and such consequences should follow from the mortgage transaction?"—Certainly something might be done; and I think that is the true mode in which conveyances could be shortened, and not by saying that such a thing shall be the effect of such and such words.

"Do you not think you might get rid, in many cases, of all that long part of a deed, the powers of distress and entry; they are of very little use?"—I fancy the powers of distress might very well be omitted in limitations of rent-charges. I never exactly understood why they were introduced." (P. 522).

For some felicitous observations on the use of recitals we must refer to the Blue-book itself.

"Many titles are held under recitals of deeds, the originals of which are lost?"—Yes. And I must mention, that I think the length of our legal instruments proceeds in some degree from this cause. You know every deed is a law between the parties; every contract is a law. Now, there is a great disinclination, and it has not been the system of legislation or private dealing in this country, to leave anything to the discretion of judges; it has not been the habit to leave details to be deduced from general provisions, but to specify and bargain—in other words, to legislate—as to all the details. It is just the old story between minute and particular legislation and codification; and it is expressed in an observation of Dr. Johnson, in a little *Life* that he wrote of Frederick the Great, in this way:—"The Code Frederique is comprised in a volume of moderate bulk, and therefore can only contain general rules, to be applied to particular cases, at the discretion of judges. To embarrass justice by a multiplicity of provisions, or to endanger justice by reposing confidence in judges, are the opposing rocks between which legislative skill has never yet found an open passage." It struck me as a remarkable observation, proceeding from a man who could have hardly conversed with a lawyer, and who was writing a little *life* for a magazine. I think the same thing applies to our deeds; in fact, we do not give the law fair play—we provide for too much.

"Formerly, when there was not so much conveyancing, it was generally done by very skilful hands; at now, from the immense quantity of conveyancing, great deal of it is done by persons not so skilful. Do not you think that many of the tautologous expressions

used have perhaps grown up from the apprehension of parties, and from their not having confidence to rely on a single expression. They have been the result of the doubt and difficulty of parties preparing deeds?"—No question; but I think we got more tautologous and more prolix after some of the common lawyers, who had been judges, came to practise conveyancing in troublesome times. I think they imported some of the *Nisi Prius* eloquence into our forms; and they found them very much corrupted, I think, by the forms of the Crown grants. In this state the conveyancing system was found by Mr. Booth. It is impossible not to feel there are great force and skill in his deeds, but still they have an extraordinary multiplicity of words. Mr. Butler pruned them down a little, but still he left too many words; and I think we have been mending ever since. We do not now talk about 'all that plot, piece, or parcel of land;' we are satisfied to call it 'a piece of land.' We do not talk now of the 'reversion and reversions, remainder and remainders,' and such like; at least, we do not all do it; and we are mending.

"A great deal of the length of those provisions arises from the apprehension of difficulties under some unforeseen decision of a Court of equity?"—And from this also, that parties like much better to specify in their own contract those things which they really mean to contract for, than to leave them to be collected from the whole of the equity reports, although they may be all found there. It is a handier way to get, in your own contract,—'This is what we mean.'

"Your practice, of course, leads you very often to consider conditions of sale. Do you not think that they exhibit an unsatisfactory state of the law between vendor and purchaser?"—Singularly so. I think they shew how bad the state of our titles is. There is something or other essentially wrong.

"Has it not been frequently within your experience to find that persons are induced to buy, under these conditions of sale, what may be considered bad titles?"—Certainly; they bind themselves by the conditions to take what may be a bad title.

"And, from their frequent occurrence, persons who have not good advice are, by means of them, constantly entrapped into contracts?"—Yes." (P. 524).

We could wish that the following statement were strictly accurate:—

"And in these days you do not consider it the practice of respectable conveyancers to spread a deed into as many words as they can employ?"—Certainly not.

"And not a usual thing to have two forms, supposed to be equally efficient; the long one to be applied in cases in which the charge may be conveniently made, and the short one to be applied in cases where a large charge would probably be complained of?"—*It does not exist.* A proposal to a conveyancer's counsel to do any piece of business in a mode more expensive to the party, with a view to increase his own fees, would, I conceive, be taken in the same way as a proposal to Dr. — to prolong an illness with a like view. The tone in these matters is necessarily given by persons who are most fully employed; and, putting better motives out of sight, their interest is to find the most compendious modes of disposing of business. One object with conveyancers is to please their clients. Now, I never had a case in my life in which my client would not be better pleased to have a short deed than a long one. It is not the vice of solicitors. I am satisfied they must find it so distasteful to their clients to see the long deed, that they would themselves rather waive any profit they could have by it. They do not like long deeds. Nobody wishes for long deeds; but the kind of transactions that we have do not admit of being done by short instruments. The frame of language that we use is the shortest frame of language that can be used. It is very

true there are no elliptical forms of expression, but there are no figurative forms of expression, and nothing to give character, force, or intensity to the idea. You always mean to express with exactness and precision one thing; but if you are to express it with perfect exactness, it often takes that which would seem a long and elaborate mode of expression, although it really is not so." (P. 521).

That conveyancers do not make some drafts more concise than others, in consideration of the smallness of the transaction or the means of the client, we must take leave to deny. The contrary is notorious. Mr. Jarman's printed collection of precedents, containing long and short forms for the same thing, has caused no scandal. Mr. Hayes has published, and recommended for use, some very concise forms, which he has occasionally used himself, but has never habitually used; and we doubt if there is a conveyancer in practice who has not on many occasions, for the purpose of shortening a long draft, struck out words from his common forms which, in other cases, he allows to stand. "It does not exist?" Why, we have now before us a pupil's copy of the folio volume of common forms now or very lately in daily use in the chambers of one of the very commissioners whom Mr. Christie was addressing, and the forms are in pairs, the short form following the long, as regularly as answer follows question in Mr. Christie's examination. They have come down, with very little alteration, from the chambers of Sir E. Sugden, through an eminent pupil of that eminent and orthodox conveyancer, and are now probably used in a dozen different chambers. A conveyancer in extensive practice of the "best" kind may in time forget the use of short forms, because his business never requires them; but in chambers where the practice is less select short forms are in frequent use.

Mr. Christie's assertion, that "the frame of language that we use is the shortest frame of language that can be used," is ambiguous. If he means that the principle on which conveyancing language is or professes to be framed is correct, we agree. The scheme is to express everything that is intended, and is not necessarily implied. Nothing is to be left to *supposition*. But conveyancers at this day use many more words than are required or justified by the principle. Take, for example, the following extract from covenants for title settled by one of the eminent conveyancers who were present when Mr. Christie delivered himself of his remarkable assertion:—

"And this indenture further witnesseth, that the said [A. B.], for himself, his heirs, executors, administrators, and assigns, doth covenant, *promise, and agree* with and to the said [C. D.], his *appointees*, heirs, and assigns, in manner following; (*that is to say*), That for and notwithstanding any act, *deed, matter, or thing whatsoever* by the said [A. B.] or the said [E. F.], the said testator, deceased, *made, done, committed, or executed, or knowingly permitted* or suffered to the contrary, he, the said [A. B.], at the time of the sealing and delivery of these presents, is lawfully, *rightfully, and absolutely* seized of and in, or well and sufficiently entitled to, the said manors, messuages, tenements, lands, and hereditaments hereinbefore granted, released, or assured, or expressed and intended so to be, and every part thereof, with their appurtenances, for a good, sure, sole, perfect, absolute, and indefeasible estate of inheritance in fee-simple, without any manner of condition, use, trust, power of revocation, equity of redemption, remainder, or limitation of any use or uses, or other restraint, incumbrance, cause, matter, or thing whatsoever, to alter, change, charge, defeat, incumber, revoke, or make void the same."

The same able conveyancer on another occasion used the same form, with all the words in italics struck out, and with perfect and well-founded confidence, that the

form so shortened was equally effectual in substance, and, we will add, more correct in expression.

We do not say that conveyancers insert words into their drafts for the mere purpose of lengthening them, or that they are ever asked, in plain terms, to make a draft long. Things are not managed so grossly. The augurs meet without laughing to each other, and seldom laugh even in their own sleeves, and they are neither more nor less conscientious than other educated men. They take the forms and the system as they find them, and do not make any effort at amendment which they feel would be detrimental to their own interests. Conveyancing counsel and solicitors are not overpaid for the severe labour and great responsibility which are cast on them; and the remuneration of the former is much less dependent on the length of their drafts than it used to be; but every one knows that solicitors' charges are still, to a great extent, estimated by folios.

The following remarks on the essential connexion between a system of documentary title and registration are excellent:—

"In a system of documentary title, I fancy that registration will enter into the idea of it as an essential part of such a system. It would have been conceived hardly possible that a system of documentary title could have existed without registration; but from the experience that we have had, we know now that, in point of fact, a system may go on, and practically may work much better than anybody could have anticipated, without registration. But still, if it be a perfection in the system to know certainly all the documents which, in fact, may affect the right to the land, I take it there is no mode of satisfying purchasers or mortgagees, or others who are dealing with the property, that they do see all, but a system of registration. The only question is, how to make the system perfect, so that we may be clear that no document escapes attention. Then, following out that principle, I suppose that registration is just as essential with respect to all property held by documentary title, as it is with respect to land. I take it that the registration is as necessary for interests in chattel property, provided it becomes the subject of documentary title, as it is with respect to land. But that is, perhaps, going beyond the subject of your inquiry; only I mean, that if the principle of registration be admitted, and a plan or system of registration once agreed on, you will not be able consistently to stop on the registration of title to land—you must register the title to equitable interests in stock, register copyrights, and such like.

"Patents and assignments of patents?—Just so; the same principle of registration will apply to all things, and I fancy that a system of documentary title is essentially imperfect and incomplete without registration.

"Registration would be particularly necessary, with reference to reversionary interests in personality, which are the subject of sale and disposition to a very large extent?—Certainly, and with respect to which there is no complete means of knowing whether they are dealt with or not. Of course, notice to trustees is something, but that is imperfect, as the notice may probably have been given to a trustee who is gone, and you may have to deal with the executor or administrator of the surviving trustee.

"And occasionally you can obtain no information at all as to previous dealings or incumbrances?—Exactly.

"And for that reason a man's title becomes unmarketable?—Yes; the law has provided no certain or uniform mode for trustees to receive, preserve, transmit, or communicate information of incumbrances." (P. 510).

There are many suggestions in Mr. Christie's evidence relating to matters not within the scope of the

present commission. The commissioners themselves, at the conclusion of their Report, point out the necessity of a general revision of the law of property, so as to simplify, as far as may be consistent with the benefits of ownership, the interests which may be created in land, to define their limits with precision, and to remove the obscurities and anomalies of the rules which concern them. Such a revision should not be confined to real property.

(To be continued).

London Gazette.

TUESDAY, AUGUST 13.

BANKRUPTS.

- JONATHAN STEELE**, Plough-road, Deptford, Kent, tar manufacturer, Aug. 22 at half-past 1, and Oct. 3 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Chidley, 1, Guildhall-chambers, Basinghall-street.—Petition filed July 8.
- SAMUEL ADAMS, WILLIAM BRIDGES ADAMS, and GERARD RALSTON**, (now or lately carrying on business in partnership), Fairfield-works, Bow, Middlesex, engineers and railway-carriage builders, Sept. 5 at half-past 11, and Oct. 10 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Crowder & Maynard, Coleman-street.—Petition dated Aug. 10.
- EDWARD STEPHENSON**, Richmond, Surrey, builder, dealer and chapman, Aug. 22 at half-past 11, and Oct. 3 at 2, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Kaye, 4, Symond's-inn, Chancery-lane.—Petition dated Aug. 9.
- JAMES HIBBLE**, Bishopsgate-street Without, London, oil and colour man, dealer and chapman, Aug. 22 and Sept. 30 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. T. J. & E. S. Clarke, Bishopsgate-churchyard.—Petition dated Aug. 8.
- EDWARD GROUND**, Wisbeach, and Parson-drove, Cambridgeshire, draper, dealer and chapman, Aug. 23 and Sept. 27 at half-past 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Mardon & Pritchard, Christchurch-chambers, 99, Newgate-street.—Petition dated Aug. 10.
- JOHN WHITWELL**, Mark-lane, London, corn factor, dealer and chapman, Aug. 24 at half-past 12, and Sept. 27 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Miller & Son, Norwich; Abbott & Wheatley, Southampton-buildings, Chancery-lane.—Petition dated July 31.
- HENRY EDWARD FORD and WILLIAM REEVES**, Leadenhall-street, London, ship and insurance agents, dealers and chapmen, Aug. 20 at half-past 1, and Sept. 23 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Lawrance & Plews, Old Jewry-chambers, London.—Petition dated Aug. 7.
- JOHN ROBINSON and EDWARD MOORE**, Alverthorpe-with-Thornes, Wakefield, Yorkshire, spinners, (carrying on business together at Silcoates, Alverthorpe-with-Thornes, under the style or firm of John Robinson & Co.), Aug. 29 and Sept. 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Westmoreland & Taylor, Wakefield.—Petition dated July 19.
- WILLIAM HENRY DE WOLF**, Amherst, Nova Scotia, British America, now of Liverpool, England, merchant, ship-builder, dealer and chapman, Aug. 22 and Sept. 16 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Holden, Liverpool.—Petition dated Aug. 7.
- DANIEL M'INTYRE**, late residing at Cheetham-vale-house, Smedley, and occupying the Yew-mill Chemical Works, Collyhurst, and an office in Booth-street, Manchester, manufacturing chemist, dealer and chapman, Aug. 23 and Sept. 16 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Rowley & Taylor, Manchester.—Petition filed Aug. 1.

MEETINGS.

Wm. Burridge the elder, *Wm. Burridge* the younger, and *John Burridge*, Portsmouth, Southampton, bankers, Aug. 21 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Wm. Orrell*, Manchester, gun manufacturer, Aug. 23 at 12, District

Court of Bankruptcy, Manchester, aud. ac.—*Richard Dean*, Clitheroe, Lancashire, grocer, Aug. 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Joseph Parker*, Blackburn, Lancashire, grocer, Aug. 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Sept. 4 at 12, div.

CERTIFICATES.

To be granted, unless an Appeal be duly entered.

Charles Wood, Ditcheling, Sussex, butcher.—*P. F. A. V. Vyver*, Crutched-friars, London, merchant.—*A. A. Watts*, Berners-street, Middlesex, printer.—*Margaret Milne*, Manchester, grocer.—*Wm. Walford*, Wolverhampton, Staffordshire, common brewer.—*Samuel Adams*, Birmingham, pistol manufacturer.—*Richard Wilson*, Kingston-upon-Hull, stonemason.—*Wm. Rawson*, Market Rasen, Lindsey, Lincolnshire, cake merchant.—*John Denton*, Greaves-mill and Burwood, Stanland, Halifax, Yorkshire, silk spinner.

SCOTCH SEQUESTRATIONS.

Robert Mills, Perth, shipowner.—*John Muir*, Edinburgh, banker.—*James Maitland*, Troon, Ayrshire, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Ralph Baddeley, Darlaston, Staffordshire, quarryman, Aug. 21 at 12, County Court of Staffordshire, at Walsall.—*George Coy*, Helmdon, Northamptonshire, blacksmith, Sept. 2 at 12, County Court of Northamptonshire, at Towcester.—*William Crittall*, New Romney, Kent, grocer, Aug. 26 at 11, County Court of Kent, at Romney.—*E. W. Bateman*, Bury St. Edmund's, Suffolk, baker, Aug. 26 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Harry Darby*, Coombe-wood, Wincoscombe, Somersetshire, gentleman, Aug. 30 at 2, County Court of Somersetshire, at Axbridge.—*A. Barnes*, Beckford, Gloucestershire, blacksmith, Sept. 11 at 10, County Court of Gloucestershire, at Winchcomb.—*J. Carrick*, Wigton, Cumberland, innkeeper, Aug. 24 at 11, County Court of Cumberland, at Wigton.

Saturday, Aug. 10.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Edward Hooke, Anstey, Leicestershire, farmer, No. 63,388 C.; *George Gothard*, new assignee, in place of Thomas Proudman, deceased.—*Wm. Armistead*, Crookes Moor, near Sheffield, Yorkshire, publican, No. 72,695 C.; *John Cowburn*, assignee.—*George Adam Coles Smith*, Liverpool, ship broker, No. 70,387 C.; *Alex. M'Culloch*, assignee.—*S. Goddard Carrell*, Caroline-cottages, St. Ann's-road, Brixton, Surrey, appraiser, No. 60,825 T.; *Wm. Bartlett*, assignee.—*Thos. Beaumont*, Lower Mall, Bridge-road, Hammersmith, Middlesex, victualler, No. 61,584 T.; *John Leadbeater*, assignee.—*William Shaw*, Great Grimsby, Lincolnshire, shipwright, No. 55,736 C.; *William Dann*, assignee.—*Thomas Stoker*, Fishergate, Yorkshire, butcher, No. 71,393 C.; *Wm. Scawin* and *Henry Hartley*, assignees.—*John Stedman*, Gold-hanger, Essex, farmer, No. 72,252 C.; *Joshua George Seamans*, assignee.—*Stephen James Dean*, Springfield, Essex, currier, No. 72,342 C.; *James Parker*, assignee.—*Thomas Wilnot Easthorpe*, Cheltenham, Gloucestershire, in no trade, No. 72,549 C.; *Edward Nash*, assignee.

Saturday, Aug. 10.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Ebenezer Corby, Upper Fitzroy-place, Hampstead-road, Middlesex, confectioner: in the Debtors Prison for London and Middlesex.—*Daniel Rogers*, Bethnal-green-road, Middlesex, timber merchant: in the Debtors Prison for London and Middlesex.—*Robert Rising*, Argyle-st., King's-cross, Battle-bridge, Middlesex, gentleman: in the Debtors Prison for London and Middlesex.—*James Butler*, Praed-st., Paddington, Middlesex, architect: in the Debtors Prison for London and Middlesex.—*Elizabeth Turner*, Somerset-st., Portman-square, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*Thomas Vaughan*, High-st., Tottenham, Middlesex, cowkeeper: in the Debtors Prison for London and Middlesex.—*David Jones*, Norman-terrace,

Wandsworth-road, Surrey, clerk in the office of the Poor-law Board, Somerset-house: in the Debtors Prison for London and Middlesex.—*Maryswife Piacene*, widow, Castle-street, Leicester-square, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Charles Alex. Mortimer*, Wilmington-square, Clerkenwell, Middlesex, in no trade or profession: in the Queen's Prison.—*Bennet Beeson*, John-street, Hanway-st., Oxford-st., Middlesex, in no business or profession: in the Debtors Prison for London and Middlesex.—*John H. Hodgson*, King-sq., Goswell-st., Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Benjamin Carvoso*, Seacombe, near Liverpool, grocer: in the Gaol of Lancaster.—*George Clay* the younger, Ledbury, Herefordshire, dealer in coal: in the Gaol of Gloucester.—*Henry Gooden*, Canterbury-row, Old Kent-road, Surrey, horse jobber: in the Gaol of Petworth, Sussex.—*Patrick Kearns*, Liverpool, grocer: in the Gaol of Lancaster.—*Henry Williams*, Lower Llanvach, Monmouthshire, licensed victualler: in the Gaol of Monmouth.—*Edward Chapman*, Swindon, Wiltshire, farmer: in the Gaol of Fisherton Anger.—*Joseph Hayselden*, Brighton, Sussex, builder: in the Gaol of Lewes.—*John Tindale*, Belthorpe, near Pocklington, Yorkshire, farmer: in the Gaol of York.—*Frederick John White*, Bridgend, Glamorganshire, unattached half-pay officer of the Royal Marines: in the Gaol of Cardiff.—*Wm. M. D. Wiliam*, Ryde, Isle of Wight, Hampshire, captain in the Royal Artillery: in the Gaol of Winchester.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Glamorganshire, at CARDIFF, Aug. 24.

Joshua Jones, Cefabettings, Llangatbach, farmer.—*Fred. John White*, Bridgend, unattached half-pay officer of the Royal Marines.

At the County Court of Warwickshire, at COVENTRY, Aug. 28.

Thomas Stanley, Birmingham, brass caster.

At the County Court of Somersetshire, at TAUNTON, Aug. 29 at 10.

John Downing, Bristol, accountant.—*Thos. Watts*, Charlton Adam, near Somerton, farmer.

INSOLVENT DEBTORS' DIVIDENDS.

Charles Choak, Frederick-st., Mile-end-road, Middlesex, master mariner: 2s. 2½d. in the pound.—*Joseph Routledge*, Derby-road, Kirkdale, Liverpool, licensed victualler: 8s. in the pound.—*Joseph Tween*, Titmore-green, Great Wymondly, Hertfordshire, land surveyor: 1s. 4½d. in the pound.—*John L. Griffiths*, King's-road, Camden-town, Middlesex, Palace Court officer: 3s. 0½d. in the pound.—*Michael Parker*, dec., Claines, Worcestershire, lieutenant in the Army: 2s. 3½d. in the pound.—*John Pead*, Exeter, Devonshire, purser in the Navy: 4s. 10d. in the pound.—*Michael Parker*, dec., Cardigan-place, Kennington, Surrey, lieutenant in the Army: second dividend of 1s. 3d. in the pound.

Apply to the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

Edward Mansell, Hastings, auctioneer, Langham's, Hastings: 10½d. in the pound.

FRIDAY, AUGUST 16.

BANKRUPTS.

JAMES GILLET BEACH, Beresford-street, Woolwich, Kent, licensed victualler, dealer and chapman, Aug. 23 and Sept. 28 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Bristow & Tarrant, 2, Bond-court, Walbrook.—Petition dated Aug. 13.

JAMES GROOM SHORT, Bell-street, Edgeware-road, Middlesex, ironfounder and smith, Aug. 23 at 12, and Sept. 28 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Rushbury, Howard-street, Strand.—Petition dated Aug. 6.

FREDERICK MOUNTFORD, Greenwich, Kent, stationer, Aug. 24 and Oct. 4 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Goddard, 28, King-street, Cheap-side.—Petition filed Aug. 15.

JOHN NAPOLEON REYNOLDS, Upper-street, Islington, Middlesex, grocer, dealer and chapman, Aug. 23 at half-past 11, and Sept. 27 at half-past 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Van Sandan & Cumming, 27, King-street, Cheap-side.—Petition dated Aug. 7.

ROBERT HENRY WOOD, Birmingham, surgeon and apothecary, Aug. 29 and Sept. 26 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Mottram & Co., Birmingham.—Petition dated Aug. 12.

WILLIAM SHROPSHALL the younger, Congleton, Cheshire, miller, dealer and chapman, Aug. 26 and Sept. 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Bell, Liverpool.—Petition dated Aug. 10.

WILLIAM GOLDFINCH WILLIAMS, Accrington, Lancashire, draper, dealer and chapman, Aug. 27 and Sept. 18 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Sale & Co., Manchester.—Petition filed Aug. 14.

MEETINGS.

Edward Parkes, Canterbury, Kent, shoe manufacturer, Aug. 26 at 12, Court of Bankruptcy, London, last ex.; Aug. 28 at 12, aud. ac.—*Edward Parratt*, Park-village West, Regent's-park, Middlesex, advertising agent, Aug. 26 at half-past 11, Court of Bankruptcy, London, last ex.—*Thomas Chestwood Jones*, Blackfriars-road, Surrey, linendraper, Sept. 6 at 11, Court of Bankruptcy, London, aud. ac.; Sept. 13 at half-past 11, div.—*George Frederick Gardener*, Rayleigh, Essex, grocer, Sept. 6 at 1, Court of Bankruptcy, London, aud. ac.—*J. Woolnough*, Chediston, Suffolk, cattle dealer, Sept. 6 at half-past 1, Court of Bankruptcy, London, aud. ac.; Sept. 9 at 11, div.—*Henry Rose*, Manchester and Salford, Lancashire, common brewer, Sept. 2 at 1, Court of Bankruptcy, London, aud. ac.—*Henry Scholefield*, Clare, Suffolk, chemist, Aug. 28 at 12, Court of Bankruptcy, London, aud. ac.—*Chas. Jos. Carter*, Greenwich, and Shooter's-hill, Kent, solicitor, Aug. 28 at half-past 1, Court of Bankruptcy, London, aud. ac.—*John Bowyer*, Boreham, Wiltshire, miller, Sept. 13 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Sept. 20 at 11, div.—*Walter James*, Beaufort, Llangattock, Breconshire, provision dealer, Sept. 6 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Sept. 13 at 11, div.—*Hugh Hughes*, Portmadoc, Carnarvonshire, shipowner, Aug. 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John La Guerrande*, Liverpool, merchant, Aug. 30 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Danson*, Lancaster, merchant, Sept. 3 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Sept. 6 at 12, div.—*A. K. Holman*, Witley, Leeds, Yorkshire, cloth manufacturer, Aug. 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Fisher*, Bristol, livery-stable keeper, Sept. 13 at 11, District Court of Bankruptcy, Bristol, fin. div.—*N. J. Reed*, Marlborough, Wiltshire, licensed common brewer, Sept. 16 at half-past 12, District Court of Bankruptcy, Bristol, div.—*Wm. Orrell*, Manchester, gum manufacturer, Sept. 4 at 12, District Court of Bankruptcy, Manchester, div.—*Wm. Linley*, Conisburgh, Yorkshire, scythe manufacturer, Sept. 7 at 10, District Court of Bankruptcy, Sheffield, div.—*John Bridgeford*, Sheffield, Yorkshire, printer, Sept. 7 at 10, District Court of Bankruptcy, Sheffield, div.—*Martin Caswood*, Leeds, Yorkshire, ironfounder, Sept. 6 at 11, District Court of Bankruptcy, Leeds, div.—*H. Parker*, O. Shore, John Brewin, and John Rodgers, Sheffield, Yorkshire, bankers, Sept. 7 at 10, District Court of Bankruptcy, Sheffield, div.—*Wm. L. Bickley*, Sheffield, Yorkshire, innkeeper, Sept. 7 at 10, District Court of Bankruptcy, Sheffield, div.—*Joseph Garrison*, Helpthy, Yorkshire, grocer, Sept. 6 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

T. C. Jones, Blackfriars-road, Surrey, linendraper, Sept. 9 at 11, Court of Bankruptcy, London.—*Edw. A. Peabue*, Princes-street, Cavendish-square, Middlesex, saddler, Sept. 9 at 1, Court of Bankruptcy, London.—*Thomas J. Edwards*, King-street, Bloomsbury, Middlesex, dressing-case maker, Sept. 9 at half-past 1, Court of Bankruptcy, London.—*Chas. Penfold*, Arundel, Sussex, ironmonger, Sept. 12 at 12, Court of Bankruptcy, London.—*T. W. Spencer*, Devonport, Devonshire, draper, Sept. 12 at half-past 1, District Court of Bankruptcy, Exeter.—*Edward Bevan Thomas*, Locomotive,

Herefordshire, wine merchant, Sept. 12 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Charles Mayhew, Ebury-st., Pimlico, Middlesex, hosier.—*Henry William Shipley*, Nottingham, lace manufacturer.—*Charles Francis*, Liverpool, grocer.

PARTNERSHIP DISSOLVED.

John Lyon Foster and *Wm. Hasell*, Dowgate-hill, London, and Hertford, Hertfordshire, and elsewhere, attorneys and solicitors, (under the firm of Foster & Hasell).

SOOTH SEQUESTRATIONS.

Robert M'Gown, Glasgow, hotel keeper.—*Alex. Miller*, Glasgow, manufacturer.—*John Corbet*, Glasgow, commission agent.—*James Pirrie*, Mains of Colithie, Gartly, Aberdeenshire, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Philip Bell, North Elmham, Norfolk, saddler, Sept. 30 at 9, County Court of Norfolk, at East Dereham.—*Thomas Milson*, Bristol, cabinet maker, Aug. 26 at 11, County Court of Gloucestershire, at Bristol.—*James Blackford*, Calne, Wiltshire, carpenter, Sept. 4 at 11, County Court of Wiltshire, at Calne.—*Robert Baty*, Upper-town, Kirklington, Cumberland, labourer, Aug. 27 at 9, County Court of Cumberland, at Carlisle.—*Jonathan Forster*, Long-town, Arthuret, Cumberland, innkeeper, Aug. 27 at 9, County Court of Cumberland, at Carlisle.—*Robert Mason*, Nottingham, laceman, Sept. 5 at 9, County Court of Nottinghamshire, at Nottingham.—*Joseph Spencer* the younger, Kinoulton, Nottinghamshire, tailor, Sept. 6 at 10, County Court of Nottinghamshire, at Bingham.—*John Sutton*, Cheltenham, Gloucestershire, working cutler, Sept. 17 at 10, County Court of Gloucestershire, at Cheltenham.—*Wm. Hampton*, Cheltenham, Gloucestershire, agent for selling beer, Sept. 17 at 10, County Court of Gloucestershire, at Cheltenham.—*Richard Griffin*, Cheltenham, Gloucestershire, bricklayer, Sept. 17 at 10, County Court of Gloucestershire, at Cheltenham.—*John Morgan*, Argood, Kinnerley, Shropshire, farmer, Aug. 30 at 10, County Court of Shropshire, at Oswestry.—*R. Lawson*, Wallacey, Cheshire, leather dealer, Aug. 30 at 10, County Court of Cheshire, at Birkenhead.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Thomas Harker, Liverpool, out of business, No. 72,091; *Thomas Smith*, assignee.—*Wm. Kay*, Pendlebury, near Manchester, blacksmith, No. 72,653; *Thomas Smith*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Aug. 30 at 11.

George Miller Baily, Liverpool, assistant to a grocer.—*Clement Nuttall*, Bacup, out of business.—*John Owen*, Liverpool, furniture broker.—*Wm. Pate*, Burnley, out of employment.—*Charles Pownall*, Ashton-under-Lyne, timber merchant.—*Henry Riley*, Bolton-le-Moors, carder in a cotton mill.—*John Bustard*, Hulme, Manchester, bricklayer.—*Joseph Matthew*, Middleton, near Manchester, cotton-yarn dresser.—*Patrick Kearns*, Liverpool, grocer.—*John Warington*, Hulme, Manchester, warehouseman.—*Theo. Booth*, Cheetham, Manchester, grocer.—*William Gough*, Cheetham, Manchester, dealer in shoes.

At the County Court of Cumberland, at CARLISLE, Aug. 27 at 9.

Wilkinson Graham, Carlisle, slater.

At the County Court of Nottinghamshire, at NOTTINGHAM, Sept. 5 at 9.

John Brett, Sneinton, accountant's clerk.—*John Reaney*, Nottingham, stonemason.

At the County Court of Warwickshire, at COVENTRY, Aug. 28.

William Hort, Birmingham, tailor.

INSOLVENT DEBTORS' DIVIDENDS.

Samuel Green, Dean-st., Oxford-st., Middlesex, carman: 2s. 1d. in the pound.—*Robert Simmonds*, Northolt, near Hanwell, Middlesex, farmer: 8½d. in the pound.—*W. Hart*, Irongate-wharf, Paddington, Middlesex, wheelwright: 3s. 6d. in the pound.—*Henry D. Boddy*, Baker-street, Portman-sq., Middlesex, clerk in Somerset House: 9½d. in the pound.—*Thomas Hill*, Somerset-place, Somerset House, Strand, Middlesex, messenger in Somerset House: 1s. 8½d. in the pound.—*James F. Bulkeley*, Middlesex-place, New-road, Marylebone, Middlesex, lieutenant in the Navy: 7½d. in the pound.—*Francis Winch*, Margate, Kent, carpenter: 4s. 4½d. in the pound.—*Henry T. Ryder*, Hatfield-st., Stamford-st., Surrey, carpenter: 3s. 9½d. in the pound.—*Francis W. Wymen*, Springfield, near Chelmsford, Essex, tallowmelter: 1s. 4½d. in the pound.—*William D. Cooper*, King's-road, Walworth, Surrey, railway time-keeper: 2s. 8d. in the pound.—*William T. Barth*, Cowley-road, North Brixton, Surrey, clerk in the General Post-office: 1s. 2d. in the pound.—*Wm. Humpage*, Margaret-terrace, Paddington-green, Paddington, Middlesex, bookseller: 2s. 5½d. in the pound.

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The Jurist

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AUGUST 24, 1850.

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LONDON, AUGUST 24, 1850.

In a recent number of THE JURIST, p. 282, some passages were referred to in the review of Mr. Forsyth's *Hortensius*, extracted from the code of rules of the old French Bar. It may be not uninteresting to observe, that to the observance of very similar rules, the laws of Geneva require advocates to pledge themselves by oath. The oath is as follows:—

"I swear before God,

To be faithful to the republic and the canton of Geneva;

Never to depart from the respect due to the tribunals and authorities;

Never to counsel or maintain a cause which does not appear to be just or equitable, unless it be the defence of an accused person;

Never to employ knowingly, for the purpose of maintaining the causes confided to me, any means contrary to truth, and never to seek to mislead the judges by any artifice or false statement of fact or law;

To abstain from all offensive personality, and to advance no fact contrary to the honour or reputation of the parties, if it be not indispensable to the cause with which I may be charged;

Not to encourage either the commencement or the continuance of a suit from any motive of passion or interest;

Not to reject, for any considerations personal to myself, the cause of the weak, the stranger, or the oppressed."

And these rules are, in substance, incorporated in the Code of Civil Procedure reported to the Legislature of New York in December, 1849, by the Commissioners on Vol. XIV. G G

Practice and Pleadings*. By this code it is proposed to be enacted, (tit. 5, art. 3), that "it is the duty of an attorney and counsellor—

1. To support the constitution and laws of the United States, and of this State.

2. To maintain the respect due to the courts of justice and judicial officers.

3. To counsel or maintain such actions, proceedings, or defences only as appear to him legal and just, except the defence of a person charged with a public offence.

4. To employ, for the purpose of maintaining the causes confided to him, such means only as are consistent with truth, and never to seek to mislead the judges by any artifice or false statement of fact or law.

5. To maintain inviolate the confidence, and at every peril to himself to preserve the secrets, of his clients.

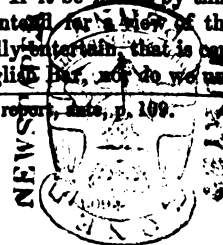
6. To abstain from all offensive personality, and to advance no fact prejudicial to the honour or reputation of a party or witness, unless required by the justice of the cause with which he is charged.

7. Not to encourage either the commencement or the continuance of an action or proceeding from any motive of passion or interest; and,

8. Never to reject, for any consideration personal to himself, the cause of the defenceless or the oppressed."

Substantially this is the code of the English Bar. There is, however, one passage in it which is not quite intelligible, viz. that which lays down that it is the duty of a counsellor never to seek to mislead the judge by any *false statement of law*. If it be meant by this, that the advocate is not to contend for a view of the law which he does not personally entertain, that is certainly not the code of the English Bar, nor do we an-

* See some account of this report, ante, p. 109.



derstand it to have been ever the code of any civilised Bar. For the duty of counsel is not to declare the law, but to shew all the reasons that occur to him, where there is any doubt, to prove the law to be as his client has viewed it. It is for the judge to say, on hearing both sides, what the law is—a point on which the advocate may have an *opinion*, but on which no one can be said to have *knowledge* until it has been decided by the judge. If it be meant that a counsellor ought not to state as law that which is clearly not so; as if it be meant that a counsellor ought not to assert that a conveyance to A., without words of inheritance, vests in him a fee, or some such palpable untruism as that, all must agree to such a proposition; but it would be scarcely worth while to record, in a code of rules for counsellors, that they must not make absolute fools of themselves by talking nonsense; or to assume that any government will appoint judges so very ignorant of law, as to be open to be misled by a gross and palpable misstatement of the law. If it be meant that a counsellor ought not to misquote a decision or the like, that, we apprehend, would be not making a false statement of law, but of fact, and of course it would be wrong; but if it be meant that he ought not to argue to shew that the legal result of a decision is not what it is generally taken to be, or what he personally understands it to be, but the reverse, or something different, to that we cannot accede; for that would assume that the common understanding must be right, and would carry much further than would be wise or beneficial the argument à communi opinionis jurisprudentum. In any view of the passage to which we refer, it seems to us to state either a perfectly useless rule, or an improper one; and if we were called upon to lay down a code of rules for the Bar of any highly civilised community, we should strike it out.

THE REGISTRATION AND CONVEYANCING COMMISSION.

(Continued from p. 293).

SINCE we commenced our notice of this Report, the plan of the commissioners has been adopted by the Legislature, in the shape of "An Act to amend the Laws for the Registration of Assurances of Lands in Ireland." The basis of the registry in that country is to be the Ordnance maps, which are already in general use there for conveyancing purposes. These maps are on the scale of six inches to a mile, except the towns, which have sixty inches to a mile. According to Captain Yolland's evidence, boundaries can be traced on the six-inch maps with such accuracy that the probable error will not exceed four feet six inches; and on the sixty-inch maps the error would be under six inches. The time for the commencement of the registry is to be fixed by the Commissioners of the Treasury, who have power to order new maps to be made if necessary. We may, therefore, hope soon to see the commencement of this important experiment. In the meantime the details of the plan may be advantageously studied in the act, which is very short, and, having been little mangled in committee, is a fair specimen of the excellent draughtsmanship that distinguishes many of the recent Government measures.

The commissioners mention the following objections to Mr. Duval's plan:—1. The necessity, for a long time to come, of searching an index of names, namely, the index to the roots of title. 2. The possibility of mis-

take as to the title under which particular parcels are held, occasioned by the difficulty of identifying parcels, or by misconstruction of deeds or wills, and leading to registration under the wrong title, (a very obvious and serious danger). 3. The possible loss of all documentary evidence, and with it of the symbol or mark appropriated to the title in the registry. 4. The complication consequent upon successive alienations of parts of an estate originally registered under one title—a difficulty not wholly removable by requiring a specification of the parcels aliened to be entered under the original symbol. 5. The probable conflict of registered titles, as where the owner of a long term and the owner of the reversion register their titles independently under different symbols, the former, either from actual mistake, or with a view to make a title, dealing with the land as if he were seised in fee. In such a case, a purchaser, having a reference to one of the registered titles only, might find nothing to lead him to a discovery of the other. So a title to mines might be registered under one symbol, and a title to the surface of the land, without any reference to the mines, under another; and if the mines were not worked, lapse of time would not bar the right to them. So the titles to a rent-charge, and to the land charged, might be the subject of independent registries; and, in the common case of part of an estate charged with a rent being sold under an agreement by the vendor to pay the rent and indemnify the purchaser, time would not run against the rent-owner in favour of the purchaser, so long as the rent was paid by the vendor or his representatives.

Mr. Duval proposed to obviate the first three objections by "a directory to the symbols of registered titles, consisting of alphabetical lists of parties to deeds, with some particulars as to the property embraced in the respective classes;" and to provide for the loss of the symbol, by allowing a vendor to register an inhibition, for a term to be limited, on acts by himself or persons representing him. But these would be only palliatives.

A map index is not open to any of these objections, and it is suggested in the Report, that it may be made use of in improving the law with respect to certain rights affecting lands, which, being not necessarily evidenced by any actual use or enjoyment, may remain latent and unbarred for indefinite periods—as in the case already alluded to of rights to minerals, and rent-charges overriding lands belonging to different owners, and wholly paid by one of those owners:—

"The difficulties connected with such incorporeal hereditaments appear to have been present to the minds of those who framed the ancient rules of law which facilitated the extinction and embarrassed the transfer of property of this description. The purchase by the owner of a rent-charge of any part of the land subject to it, or the release of any part of the land from it, was, and indeed still is, an extinguishment of the whole rent. On the transfer also of such a rent, the assent or attornment of the terre-tenants or freeholders in possession of the land was formerly requisite—a rule which extended to the transfer also of reversions and remainders, and of every property which cast on the tenant of the land an obligation to perform a duty to a new proprietor.

"One ground of the first of these rules is stated to be, because the rent is 'against common right,' which we may, without straining, interpret to be against, or dehors those rules of law which are necessary to the convenient enjoyment of land, or to the connexion of lord and tenant.

"The ground of the other of these rules (requiring attornment) obviously was to provide a substitute (applicable to the peculiar nature of the property) for the livery of seisin, which secured notoriety to the transfer of freehold land in possession. Thus the law, in its theory

at least, became consistent as to the transfer of all species of property. The transfer of the immediate freehold was made notorious by the delivery; the creation of a term of years by the entry of the tenant; the transfer of the reversion or remainder, and of rents and the like, by the attornment of the owners of the particular estates, or of the terre-tenants; while easements only, with some rights which created no obligation on the tenant of the land, were allowed to rest on the notoriety of use and enjoyment commonly incident to their existence. The case of the reservation of unopened mines appears to have escaped attention, from the comparative insignificance in early times of this now important kind of property.

"The expedients by which sufficient notoriety was sought to be secured were so rude, that their abolition is not to be wondered at or lamented; but they were objectionable only because they were not completely effectual, and because they created more embarrassment to transfers than better means of affording notoriety would have occasioned. We may hope ultimately to secure, by such expedients as the more advanced state of art and knowledge suggests, that notoriety as to the burthens affecting land which was sought through the doctrine of attornment, as well as that notoriety as to the ownership of the land itself which was sought through the livery of seisin.

"If a general register were established on a satisfactory footing, we think the Legislature would be led to examine whether, by some modification of the Statute of Limitations, it might not be deemed expedient and practicable to compel the assertion on the register, within a limited time, of all outstanding charges upon land not accompanied by actual enjoyment. The law, which, at some hazard and inconvenience to the rest of the community, preserves these charges to the owners, might reasonably require, on their part, the slight exertion which would be necessary to make their claims intelligible and notorious.

"We must recollect that, as to these charges, the owners of the charge and of the property charged have both an interest in having the limits clearly defined. Uncertainty as to a charge, or as to the incidence of a charge, embarrasses the owner of the land itself upon an alienation. The same uncertainty is an equal or greater embarrassment, on the like occasion, to the owner of the charge itself. He would willingly consent to have the greater part of the land discharged, upon having the burthen clearly fixed upon a sufficient portion of it. By way of substitute for the rule of the old law, which made fatal every attempt to modify a charge, we might have a system of rational provisions for apportioning such charges, or for fixing them on portions of land sufficient to secure them, analogous to the enactments which have been so convenient with reference to the rent-charges in lieu of tithes. But we think, that whatever steps may be taken in this direction can only be taken safely by the aid of maps. What is requisite in all cases is the facility of identification, by permanent evidence, of the land charged and of the land discharged. Without maps this would, we apprehend, be impracticable."

Independently of the difficulties arising from incorporeal hereditaments, the commissioners think that the difficulties and dangers arising from acts anterior to the commencement of the system of registration might be reasonably provided against by shortening the time of limitation in certain cases, as against unregistered titles, under conditions of publicity and notices, so as to accelerate the beneficial operation of the register. "The first requisite of any notice for such a purpose would be, that the land to which the title might be claimed should be clearly and distinctly shewn to the persons intended to be affected." This could only be done by means of an authorised survey and map.

The commissioners "think, also, that the use of public maps would lessen the expense of investigation of title, and conduce to conciseness as well as precision in conveyancing." The benefit derivable in this way from maps can scarcely be overrated. The greatest and most frequent difficulty in the investigation of title is the identification of the parcels. Mr. Christie says, (p. 520)—

"If you could find an ancient map that applies to the property, of course that would remove no end of difficulties which we daily encounter. In fact, I should say it is the most prevailing difficulty and imperfection in title, that you do not know that the property which you are buying is held under that title which is deduced by the abstract. I make it a general requisition, at least it is a requisition I more frequently make than any other, to have a declaration, or some evidence, that the whole of the property is held under the title deduced by the abstract, and not under some other title. This case came within my own knowledge, not within my own practice, but it came within my knowledge:—There was a beautiful title deduced through a series of family settlements, but the description never varied, and it was suggested that it was very remarkable that in an estate of such magnitude there should have been no sale, no purchase, no exchange. An inquiry was accordingly recommended, and put searchingly, and the result was, that twenty-eight new titles were produced; and, more or less, that is of constant occurrence."

We have frequently known a discussion as to the identification of a few acres of land cost eight or ten guineas in counsel's fees alone. Now, the cost of an original survey and map of an estate of 100 acres would not, in ordinary cases, exceed 5*l*. (P. 532, Captain Dawson's evidence). In a vast number of cases titles are accepted without any documentary evidence, and often without any evidence or assurance at all (except that afforded by the vendor's possession), that the title-deeds produced relate to the land agreed to be sold. The most exact and minute verbal description of land is in most cases inferior to the rudest map for the purpose of identification. The former commissioners considered the expense of a map to be an insurmountable obstacle to its use, and perhaps reasonably, as things then stood; but we cannot understand the objections, irrespective of expense, which continue to be urged by some gentlemen of experience against the use of a public map. The late Mr. Hodgson, in his examination, said, "My notion is, that nothing will supersede language in description. It is language that we must go by; nothing but language will ever produce accuracy." (P. 494). We can only express our astonishment at the assertion, that a description in words of an irregular field may identify it more accurately than a map. Mr. Hodgson objected also to the expense of *using* the maps when made. "How are they to be transferred to your conveyance? Suppose I wanted to convey in London a small property in Yorkshire, I must go down to see the map in Yorkshire, or they must have it copied. That must be done by a surveyor, whose charges are always heavy." This looks like wilful blindness. The large sheets of the Ordnance maps are sold (and not at a loss) for 2*s*. These are expensively engraved. Lithographed sheets of the maps to be used for conveyance and registration could be sold much cheaper. The charge at the Tithe-office for copies of maps is about 1*d*. an acre for maps of the first class, and ½*d*. or ¾*d*. an acre for maps of the second class. One of these sheets, having the subject-matter of the conveyance marked on it by colour, numbers, or symbols, would be annexed to the deed, and there would be the whole of the expense and trouble. Some of the questions put during the examinations of Captains Dawson and Yolland might well have been spared. "How would you re-

present Lincoln's-inn New-square, which consists of different ownerships, according to the flight or flat, with a tenancy in common of the staircase, and the ownership also, in many cases, of a small cellar going under the square, and unconnected with the building? (P. 549). Captain Dawson answered, drily, "Might not all that be matter of description?" Of course it might. The witness might as well have been asked how he would represent on the map an estate tail in an undivided twelfth part of, or the tithe-rent charged upon, an acre of land. If the map index leads the inquirer to all the documents affecting any part of the hereditaments over or under the area occupied by No. 1, New-square, he may safely be left to prosecute his inquiries further by the help of subdivisions founded on verbal descriptions, wherever the map fails. Again, Captain Yolland is asked, "How would you shew on the map, gateways, entries, or passages running under or through a house or building, and belonging to various different properties, and particularly where they are narrow and irregular, and deviating from a straight line, of which there are vast numbers?" He answers, "There is no difficulty. There are what may be termed technical methods of shewing gateways, entries, or passages running under or through buildings, and if all cannot be shewn on one map, exceptional ones may be prepared." And if not, what has that to do with the question between maps and verbal descriptions? Can the maze at Hampton Court be described by words? With a map the field of inquiry on the register may be reduced to the smallest area that can be distinctly shewn on the map, and any subdivisions beyond that may, if necessary, be traced by means of verbal descriptions. The grand mistake of those who object to a map index appears to be, that they treat the description in a conveyance by reference to a map as something specifically different from, and more binding than a verbal description would be. But that is not so; the map, like a verbal description, would be interpreted with reference to extrinsic circumstances, and if it described a crooked wall as straight, the error, being shewn by the state of the property, would not be material. With or without a registry verbal descriptions are frequently the source of great obscurity and error; with or without a registry the use of maps would greatly diminish if not annihilate such obscurity and error, and it would do this merely by the substitution of a more accurate description. If a purchaser takes his conveyance and registers by an erroneous map description, (which is very unlikely to happen), the error may be corrected as easily as if it had been expressed in words, and can be followed by no worse consequences. Nor, in fact, is a mistake on the register of any consequence at all, except in the rare and (under a good registry) almost impossible case of actual and successful fraud.

The commissioners hope that "after the use for some time of a public map for the purposes of registration, the difficulties as to the identification of parcels will *wholly disappear*." And after a deed containing a sufficient description of an estate by reference to the map has been registered, all subsequent deeds relating to the same estate may describe the parcels simply by reference to that deed.

The Report then considers the following objections to a map:—1. The expense. 2. The difficulty of tracing land after complicated subdivisions or variations of boundaries. 3. The difficulty of applying a description by boundaries to certain species of property. 4. The alterations which would be required in the mode of describing estates in deeds, and in the practice of conveyancing. The commissioners shew that the expense will be trifling in comparison with the benefit. As to the second objection, they truly observe, that it is in these very cases of complicated subdivisions and changes of boundaries that the utility of a map will be chiefly felt.

A verbal description by reference to occupation or to boundaries becomes useless when the occupation and the boundaries can no longer be traced; but a field delineated on an accurate map may, after all traces of its boundaries have disappeared from the land, be identified in most cases by the help of the map alone, and in every case by reference to that and to the field-books and station-marks of the original survey. Again, nothing is more easy than to provide for subdivisions and changes of boundaries. Whenever a change in the boundaries or subdivisions of the property renders the existing map inapplicable, an amended one is substituted. Upon the footing of this amended map searches will thenceforth be made, and in the course of those searches the history of the changes of the property will be necessarily and readily developed. Captain Yolland shews how readily alterations in engraved maps are now effected by the electrotype process; and lithography affords equal facilities for alterations.

The method of entering changes of the boundaries, subdivisions, or condition of an estate in the map index, is fully illustrated in the Appendix to the Report, by examples from the Belgian registry.

Advowsons, and some other of incorporeal hereditaments, cannot be represented on a map; but as they relate to certain lands or districts, they may be referred to by means of a territorial index. The existing practice with respect to the tithe-rent charges is an example of this.

The commissioners anticipate that such alterations in the practice of conveyancing as may be rendered necessary by the use of a map index will be improvements. Nevertheless they think, that, in the case of the first application of a map index, provision ought to be made for enabling persons taking transfers of property with reference to those loose descriptions (by general words, &c.) to register by means of special entries in the district indexes.

The commissioners propose to apply public maps to the purposes of registration, by dividing the country into districts of about the extent of the present unions of parishes. In each district a land index would be framed with reference to the public map. "Of such indexes the books of reference already existing in the Tithe-office, and deposited in every parish where the tithe rents have been apportioned, may be taken as illustrations." These books of reference, if simplified and consolidated, may probably be adopted for the purposes of registration. If a deed were brought for registration, and the land index contained no entry already appropriated to the specific parcels and interest affected by such deed, an entry would be made in the land index with reference to the parcels. This entry would be simply a number or mark, referring to the pages of another index, to be classified according to Mr. Duval's plan, and to be called "The Index of Titles." It would contain the particulars of the deed, the date of registration, and a reference to the place of deposit of the original in the office. Separate heads would be appropriated to each estate or title. After the reference to the head deed of a title had once been made, no further entry with respect to those parcels would be required in the land index, as the subsequent history of the title would be kept up in the index of titles under the head referred to. But in the case of alienation of part of the land comprised in the head deed, the commissioners propose to make an entry in the land index with reference to the particular property alienated, so as to avoid the necessity of specifying the same parcels in the index of titles, or of referring to the deed conveying them. Where, on an alienation of part of an estate, subdivisions not shewn in the original map are made, an entry in the land index must contain a reference to a supplement to the index, shewing by an amended, and if necessary an enlarged map,

the alterations which have been made. For manors, advowsons, &c., separate heads must be provided in the land index. For some time after the commencement of the registry, general entries in the land index, without specifying any particular parcels within the district, may be necessary, to provide for the registry of conveyances, chiefly mortgages and charges, by sweeping descriptions, where the grantee may be unable to identify all the parcels. The commissioners do not anticipate much inconvenience from the allowance of such entries for a limited period, and they propose to discourage the unnecessary resort to them by imposing heavier fees.

As the land indexes in the several districts would be independent of each other, the registry might be commenced and the plan matured by experiment in a single county or district, preparatory to its extension to the rest of the kingdom. By such an experiment the question as to the practicability of using the existing maps, so far as they go, or the necessity of making a new survey, might be determined, and the system might be commenced in, or extended from time to time to, those districts which were sufficiently mapped, without waiting for the completion of a general survey. The experiment shortly to be commenced in Ireland will shew whether it will be advisable to adopt the six-inch maps of the northern counties of England, which are in the course of publication.

A separate and single index of wills for the whole country is proposed. As the time of death would generally be known, the search would, in ordinary cases, be confined within narrow limits of time. Mr. Trevor, the Comptroller of Legacy-duties, states that he has in his office copies of all wills proved and letters of administration granted since 1812, amounting to nearly a million, and that he can find any particular will with the greatest facility. Subsidiary to the index of wills would be an index of instruments of a general nature, founded on testamentary provisions, such as assignments of legacies charged on the testator's general real estate, appointments of new trustees, &c. Such instruments would be indexed under heads, to be referred to from the index of wills.

The commissioners approve of the present mode of registering and indexing judgments, *lis pendens* &c., and propose to extend it to other general charges by legal process, such as adjudications in bankruptcy and vesting orders in insolvency; and they hint at the expediency of curtailing the sweeping operation of judgments, &c.

With respect to the effect of registration, it is not proposed to make it essential to the validity of a conveyance, as between the parties themselves. The commissioners think it expedient to force as few documents as possible upon the attention of purchasers.

Priority of registration should give priority of title, without regard to the legal estate, and of course to the abolition of the doctrine of *tacking*. But some limited time should be allowed for the registration of wills, and the term of two years is proposed. Even after that period a conveyance by the heir should not be effectual as against a latent devisee, unless it were fortified by the registry of an affidavit or declaration by the heir, similar to that now required from the next of kin seeking a grant of administration.

Voluntary conveyances should not acquire any further effect from registration than they now have.

The priority given by registration to a purchaser for value, who has not been guilty of fraud, should not be defeated by notice of an unregistered title. For the grounds of this recommendation, the commissioners refer to the Report of the former commissioners. Great difficulty has, however, always been felt in deciding when a dealing with notice does, and when it does not, amount to actual fraud. (See the letter of Mr. Bell,

and the examination of Mr. Swanston). Mr. Christie says, that a mere dealing with notice might be a very gross fraud. "If a party knew that the estate had been sold (and paid for) to a purchaser who had not registered his deed, and should go and get before him on the register, I should think that would be a fraud." The principal cases of difficulty are those where the notice of an adverse right is not full and distinct, but consists merely of circumstances which ought to lead to suspicion and further inquiry.

The commissioners advert to a point not considered by the former commissioners—as to the effect to be given to notice in a registered document of trusts or even legal estates declared or limited by a document which is not registered; and they propose that purchasers for value should not be affected by such notice, for the obvious reason, that if protection is desired by the parties declaring the trusts, they may have it by registering the deed which contains them; and this may be done where the reference is to a deed executed before the commencement of the register. This is an important recommendation, and will effectually relieve purchasers from the investigation of a vast number of trusts, which it would otherwise be difficult and often impossible to withdraw from their attention. And where parties creating trusts wish to protect them, but not to disclose them on the register, permission may be given to register a memorandum entitling them to notice of an intended alienation; as is now done with respect to funds in court and stock by stop orders and writs of *distringas*. Upon receiving such notice, the parties would have an opportunity of applying to the court, if necessary.

The commissioners propose to allow full effect to *bona fide* conveyances of land for value, registered before the registry of an adjudication in bankruptcy, or of the commencement of proceedings to obtain such adjudication, notwithstanding notice of a prior act of bankruptcy. They observe that the rule allowing notice of an act of bankruptcy to bind a purchaser may be useful with reference to stock-in-trade and other personal property obtainable on credit, but that it seldom happens that a dishonest insolvent possesses any real estate which is not incumbered to its full value before he commits an act of bankruptcy.

They propose that registration should be a substitute for inrolment, in all cases where inrolment is now required.

As an important auxiliary to the system of registration, the commissioners recommend the caveat suggested by the former commissioners, which is "a document to be executed by the owner of an estate, preventing registration, within a limited period, from having any effect as against an instrument to be registered within such period by the party in whose favour the caveat is given"—the caveat of course being only effectual to the extent of the interests of the party executing it. By entering such a caveat, the necessity of registering instruments of a temporary or provisional character, such as equitable mortgages, contracts, &c., would be avoided; and where the concurrence of all the parties to a deed cannot be obtained at once, the caveat may be useful.

The commissioners think that provision may be made for the withdrawal from the registry of documents relating to charges which have been satisfied, and estates or interests which have expired by lapse of time.

Lastly, they recommend the establishment of a department for the deposit of documents executed before the commencement of the registry, for the purpose merely of safe custody, and in lieu of future, and in discharge of existing, covenants for the production of them.

(To be continued).

London Gazette.

TUESDAY, AUGUST 20.

BANKRUPTS.

JOHN GRAY and ROBERT WILLIAMS, Chester, engineers, ironfounders, dealers and chapmen, Sept. 2 and 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Walker, Chester.—Petition dated Aug. 16.

WILLIAM GOODWIN, Macclesfield, Cheshire, manufacturer, dealer and chapman, Sept. 4 and 26 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Sale & Co., Manchester; Lawrence & Reed, 60, Broad-st., Chesapeake, London.—Petition filed Aug. 10.

WILLIAM HYMERS, Gateshead, Durham, publican and brewer, Aug. 27 at 12, and Oct. 3 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sol. Harle, 20, Southampton-buildings, Chancery-lane, London, and Butcher-bank, Newcastle-upon-Tyne.—Petition filed Aug. 5.

MEETINGS.

J. Bridgeford, Sheffield, Yorkshire, printer, Aug. 31 at 10, District Court of Bankruptcy, Sheffield, and. ac.—H. Parker, Offley Shore, J. Brewin, and J. Rodgers, Sheffield, Yorkshire, bankers, Aug. 31 at 10, District Court of Bankruptcy, Sheffield, and. ac.—Wm. Linley, Conisbrough, Yorkshire, scythe manufacturer, Aug. 31 at 10, District Court of Bankruptcy, Sheffield, and. ac.—Wm. Lyon Bickley, Sheffield, Yorkshire, innkeeper, Aug. 31 at 10, District Court of Bankruptcy, Sheffield, and. ac.—John Lester, Pen-y-gelle-lodge, near Wrexham, Denbighshire, farmer, Aug. 30 at 11, District Court of Bankruptcy, Liverpool, and. ac.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Samuel Nicholson, York, trader, Oct. 14 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

William Bird, Great Yarmouth, Norfolk, hotel keeper.—Zacchaeus Wilkiness, Bradford, Yorkshire, worsted-stuff manufacturer.

SCOTCH SEQUESTRATIONS.

George Jenkins, Lochgoilhead, Argyll, wright.—James Mein, Kelso, cabinet maker.—Walter Shaw, Dundee, writer.—John Miller, Edinburgh, cattle dealer.—Robert M'Haftie, Eastwood, Glasgow, banker.—Wm. Hamilton, Haddington, horse dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Reeves, Radford, Rouselench, Worcestershire, victualler, Sept. 12 at 1, County Court of Worcestershire, at Evesham.—Julia Guy, Worthing, Sussex, schoolmistress, Sept. 2 at 11, County Court of Sussex, at Worthing.—William Evans, Ynystawe, Cadoxton-juxta-Neath, Glamorganshire, farmer, Aug. 28 at 10, County Court of Glamorganshire, at Neath.—John Rowe the younger, Treworrey, Duloe, Cornwall, yeoman, Sept. 3 at 10, County Court of Cornwall, at Liskeard.—Thomas Croose, Great James-street, Bedford-row, Middlesex, of no trade, Sept. 7 at 11, County Court of Herefordshire, at Hereford.—Ebeneser Morris, Bridgend, Glamorganshire, labourer, Aug. 27 at 10, County Court of Glamorganshire, at Bridgend.

Saturday, Aug. 17.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Ebeneser Longhurst, Maidenhead, Berkshire, carpenter, No. 72,676 C.; Joseph Barton, assignee.—Robert Henry Wm. Bartlett, Epsom, Surrey, attorney-at-law, No. 60,744 T.; George Faulkner, assignee.—Alfred Wainwright, Pangbourne, Berkshire, in no business, No. 72,280 C.; Charles Stephens, assignee.—Henry Dean, Manchester, fish dealer, No. 72,664 C.; John Morris, assignee.—Elizabeth Pearson, Knaresborough, Yorkshire, victualler, No. 72,668 C.; George Renton, assignee.—Samuel Bayly, Folkestone, Kent, grocer, No. 72,691 C.; James Wood, assignee.—William Purchas,

Cumberland-street, Hackney-road, Middlesex, lieutenant in her Majesty's Navy on half-pay, No. 54,855 T.; Samuel Cook, assignee.—John White, Chestnut-row, Kentish-town, Middlesex, publican, No. 61,633 T.; Charles Richards, assignee.

Saturday, Aug. 17.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James Cheaffers, Brook-street, Ratcliffe, Middlesex, barman to a licensed victualler: in the Debtors Prison for London and Middlesex.—Codish Jerski, King-street, Camden-town, Middlesex, tinman: in the Debtors Prison for London and Middlesex.—Frederick William Gerhard, Princes-street, Cadogan-place, Chelsea, Middlesex, coal-mine proprietor: in the Debtors Prison for London and Middlesex.—Thomas Showell, Goldington-crescent, Somers-town, Middlesex, tailor: in the Queen's Prison.—George Williams Alexander Milburn, Brompton-square, Brompton, Middlesex, attorney-at-law: in the Queen's Prison.—Thomas Marchant, Knight-buildings, New-road, North-end, Fulham, Middlesex, farmer: in the Debtors Prison for London and Middlesex.—Rush Joseph Rawson, Grove-place, Stratford-le-Bow, Essex, accountant's clerk: in the Debtors Prison for London and Middlesex.—Edward Maynard, Hayes, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—George Lidiard, Bethnal-green, (East side), Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—Stephen Bath the elder, High-street, Wapping, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—E. K. Brewer, Pratt-street, Camden-town, Middlesex, advertising commission agent: in the Debtors Prison for London and Middlesex.—Wm. Pate, Burnley, Lancashire, cabinet maker: in the Gaol of Lancaster.—Chris Pownall, Ashton-under-Lyne, Lancashire, timber merchant: in the Gaol of Lancaster.—John Whilow, Hulme, Manchester, laceman: in the Gaol of Lancaster.—Henry Riley, Bolton-le-Moors, Lancashire, carder in a cotton mill: in the Gaol of Lancaster.—John Preece, Wormbridge, Herefordshire, wheelwright: in the Gaol of Hereford.—John Bostard, Hulme, near Manchester, out of business: in the Gaol of Lancaster.—George Howarth, Crow Woods, Edenfield, Tooting Higher-end, near Bury, Lancashire, out of business: in the Gaol of Lancaster.—Thomas Booth, Cheetham, Manchester, grocer: in the Gaol of Lancaster.—W. Bassett, Minter, Isle of Sheppy, Kent, labourer: in the Gaol of Maidstone.—Benj. Smithies, Bradford, Yorkshire, woolsorter: in the Gaol of York.—Fred. Wm. Gough, Hertford, out of business: in the Gaol of Hertford.—H. O. W. Cooper, Baker-st., Portman-square, Middlesex, lodging-house keeper: in the Gaol of Maidstone.—Hugh Williams, Votly Fawr, Llansawney, Denbighshire, farmer: in the Gaol of Ruthin.—Richard Read, Ravensworth, near Richmond, Yorkshire, farmer: in the Gaol of York.—George Love, Spalding, Lincolnshire, tailor: in the Gaol of Lincoln.—Bennet Thomasin, Weston, near Spalding, Lincolnshire, wheelwright: in the Gaol of Lincoln.—Thomas Drummond, Birkenhead, near Liverpool, joiner: in the Gaol of Lancaster.—John Austin, Broad Blunaden, Wiltshire, carpenter: in the Gaol of Fisherton Anger.—Richard Morse, Gloucester, shoemaker: in the Gaol of Gloucester.—J. Opler, Hulme, Manchester, cotton manufacturer: in the Gaol of Lancaster.—Thomas Framer, Linton, Herefordshire, farmer: in the Gaol of Hereford.—Robert Peet, Kirkstead, Lincolnshire, printer: in the Gaol of Lincoln.—The Rev. Geo. Fred. St. John, Manston, Dorsetshire, clerk: in the Gaol of Dorchester.—Richard Hewish, Port Vale, St. Andrew, Hertfordshire, tailor: in the Gaol of Hertford.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, Sept. 3.

Joshua B. Gray, Plumstead-common, Plumstead, out of business.—H. O. W. Cooper, Baker-street, Portman-square, Middlesex, lodging-house keeper.

At the County Court of Essex, at CHELMSFORD, Sept. 5.

John Spicer, Barking, blacksmith.—Wm. Rose, Colchester, out of business.

At the County Court of Herefordshire, at HEREFORD, Sept. 7.

John Preece, Wormbridge, wheelwright.—Thos. Tranter, Linton, farmer.

At the County Court of Sussex, at PETWORTH, Sept. 6.

Henry Goeden, Canterbury-row, Old Kent-road, Surrey, horse jobber.

At the County Court of Denbighshire, at RUTHIN, Sept. 7 at 11.

Hugh Williams, Votty Fawr, Llanrwst, farmer.

At the County Court of Monmouthshire, at MONMOUTH, Sept. 13 at 2.

John P. Smith, Pontypool, skinner.—Henry Williams, Wain Lower Llanvychra, out of business.

INSOLVENT DEBTOR'S DIVIDEND.

S. Massey, Preston, Lancashire, provision-shop keeper, Aug. 23, Pilkington & Walker's, Preston: 11s. 6½d. in the pound.

FRIDAY, AUGUST 23.

BANKRUPTS.

JOSEPH SAMUEL HODGE and JAMES CULPIN, New Oxford-street, Middlesex, tailors, dealers and chapmen, Sept. 5 at half-past 1, and Oct. 4 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Messrs. Linklater, Charlotte-row, Mansion-house, London.—Petition dated Aug. 21.

ROBERT BARNARD, Carnaby-street, Golden-square, Middlesex, oilman, Sept. 4 and Oct. 8 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Boulton, 21, Northampton-sq., Goswell-street.—Petition filed Aug. 21.

DORINDA ANN BURNETT, Dawley, Shropshire, lodging-house keeper, dealer and chapwoman, Sept. 7 at half-past 12, and Oct. 8 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Smith & James, Birmingham.—Petition dated Aug. 19.

THOMAS THOMAS, Dudley, Worcestershire, iron merchant, dealer and chapman, (also carrying on business at Tipton, Staffordshire, in partnership with Frederick Deesley, as ironfounders, dealers and chapmen, under the style or firm of Deesley & Thomas), Sept. 4 and Oct. 1 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Hodgson, Birmingham; Caldicott & Canning, Dudley.—Petition dated Aug. 20.

THOMAS WILSON, Hill-top, near West Bromwich, Staffordshire, iron manufacturer, dealer and chapman, Sept. 4 and Oct. 1 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Mottram & Co., Birmingham; Hodgson, Birmingham.—Petition dated Aug. 22.

JANE THOMAS, widow, Brynmawr, Breconshire, grocer and draper, Sept. 6 and Oct. 4 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Abbot, Bristol.—Petition filed Aug. 22.

JOSEPH KIRKLAND, Stockport, Cheshire, joiner and builder, Sept. 2 and Oct. 2 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Goolden, Stockport.—Petition filed Aug. 21.

HENRY EDWARD GERLACH, Newcastle-upon-Tyne, merchant, Aug. 28 at 11, and Oct. 8 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Hodge, Newcastle-upon-Tyne; Sudlows & Co., 38, Bedford-row, London.—Petition filed Aug. 15.

JOHN DAVIDSON and RICHARD DAVIDSON, South Shields, Durham, butchers, (carrying on business at South Shields in partnership, under the name, style, or firm of John Davidson & Son), Aug. 28 at half-past 10, and Oct. 10 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Medcalf, North Shields; Re Phillips, Gray's-inn-square, London.—Petition filed Aug. 17.

RALPH DICKENSON, Crook, Durham, grocer and flour dealer, dealer and chapman, Aug. 28 at half-past 1, and Oct. 4 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sol. Harle, Newcastle-upon-Tyne, and 20, Southampton-buildings, Chancery-lane, London.—Petition filed Aug. 13.

MARTINGS.

John Richardson, Edgeware-road, Middlesex, ironmonger, Sept. 24 at 11, Court of Bankruptcy, London, aud. ac.—*John Brown*, Bristol, builder, Sept. 5 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Geo. Matthews*, Monmouth, pianoforte and music seller, Sept. 12 at 12, District Court of Bankruptcy, Bristol, aud. ac.; Sept. 26 at 11, div.—*William Crowdon*, Wigan, Lancashire, iron merchant, Sept. 4 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Charles Kent*, Ashbourn, Derbyshire, draper, Sept. 4 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Thomas Yolland*, Ashborton, Devonshire, limeburner, Sept. 4 at 1, District Court of Bankruptcy, Exeter, aud. ac.; Sept. 18 at 1, div.—*William Mitchell*, Birmingham, draper, Oct. 1 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Oct. 3 at 12, div.—*Edward Bevan Thomas*, Leominster, Herefordshire, wine merchant, Oct. 8 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Frederick Tapley*, Sidmouth, Devonshire, linendraper, Sept. 16 at 1, Court of Bankruptcy, London, div.—*James Welch*, Westbury, Wiltshire, innkeeper, Sept. 16 at 12, Court of Bankruptcy, London, div.—*Joseph Jardine*, Dartford, Kent, linendraper, Sept. 27 at 11, Court of Bankruptcy, London, div.—*Andrew Cohen*, Lloyd's Coffee-house, London, and Magdalen-row, Prescott-street, Goodman's-fields, Middlesex, merchant, Sept. 16 at 12, Court of Bankruptcy, London, fin. div.—*Christopher Blackmore*, Cork-street, Middlesex, tailor, Sept. 16 at 11, Court of Bankruptcy, London, fin. div.—*John Clarke*, *Richard Mitchell*, *Joseph Phillips*, and *Thomas Smith*, Leicester, bankers, Sept. 27 at 11, District Court of Bankruptcy, Nottingham, aud. ac. and div.—*Alfred Alsop*, Bonsall, Derbyshire, lead merchant, Nov. 10 at 12, District Court of Bankruptcy, Nottingham, div.—*William Stone*, Matlock, Derbyshire, builder, Oct. 4 at 12, District Court of Bankruptcy, Nottingham, div.—*James Hollings*, Rugeley, Staffordshire, common brewer, Oct. 3 at 12, District Court of Bankruptcy, Birmingham, div.—*David Storm*, Cardiff, Glamorganshire, builder, Sept. 26 at 11, District Court of Bankruptcy, Bristol, div.—*James Lacey*, Bury, Lancashire, cotton spinner, Sept. 16 at 12, District Court of Bankruptcy, Manchester, div.—*John Spencer*, Manchester, cotton spinner, Sept. 16 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Spratt, Sloane-terrace, Sloane-square, St. Luke's, Chelsea, Middlesex, coachmaker, Sept. 13 at 11, Court of Bankruptcy, London.—*William Foster Newton*, Down-street, Piccadilly, Middlesex, milliner, Sept. 13 at 11, Court of Bankruptcy, London.—*George Barnett Abalom*, Portsmouth, Southampton, coal merchant, Sept. 13 at 12, Court of Bankruptcy, London.—*John Richardson*, Edgeware-road, Middlesex, ironmonger, Sept. 24 at 11, Court of Bankruptcy, London.—*William Barnes*, Hungerford, Berkshire, auctioneer, Sept. 16 at 11, Court of Bankruptcy, London.—*Clement Pridley*, Leicester, grocer, Sept. 27 at 10, District Court of Bankruptcy, Nottingham.—*Frederick Steensiger*, Birmingham, jeweller, Oct. 3 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

James Kaye, Bridge-row-wharf, Pimlico, Middlesex, coal merchant.—*Henry Scholesfield*, Clare, Suffolk, chemist.—*George Thorneley*, High-street, Poplar, Middlesex, grocer.—*Joseph Fisher*, Cleve, Yatton, Somersetshire, money scrivener.—*Thomas Whitmore Alport*, Bristol, ironmonger.—*Walks James Garrett*, Bath, Somersetshire, grocer.—*Joseph Chilton*, Bath, Somersetshire, apothecary.—*John Grasswell Jobling*, Newton-hall, Bywell St. Peter, Northumberland, dealer in lead ore.—*John Cogan Francis*, Castle Cary, Somersetshire, corn factor.—*John Lawrence and Henry Dixon*, Birmingham, military ornament manufacturers.—*William Higgs*, Wolverhampton, Staffordshire, iron dealer.

PETITION SUPPLEMENT.

Reuben Brooks, Regent-st., Middlesex, picture dealer.

SCOTCH SEQUESTRATIONS.

Thomas Murray, deceased, Helmsdale, shipmaster.—*Mrs. Margaret Bridges*, or *Great King*, Forres, deceased.

DECLARATION OF INSOLVENCY.

Wm. Boulding, Skegness, Lincolnshire, farmer, Sept. 10 at 11, White Hart Inn, Spalding.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Daniel Vaughan, Bath, painter, Sept. 14 at 11, County Court of Somersetshire, at Bath.—*Mary Taylor*, Bath, paper-hanger, Aug. 31 at 11, County Court of Somersetshire, at Bath.—*Joseph Humphries*, Wellow, Somersetshire, publican, Sept. 14 at 11, County Court of Somersetshire, at Bath.—*John Potter*, Penzance, Cornwall, dealer in ale, Sept. 11 at 10, County Court of Cornwall, at Penzance.—*Patty Trevisse*, widow, Uny Lelant, Cornwall, out of business, Sept. 11 at 10, County Court of Cornwall, at Penzance.—*Abel Townsend*, Bath, patten maker, Sept. 21 at 11, County Court of Somersetshire, at Bath.—*Wm. J. Wornes*, Bath, dairyman, Sept. 21 at 11, County Court of Somersetshire, at Bath.—*Henry Docwra*, St. Ives, Huntingdonshire, fishmonger, Sept. 21 at 11, County Court of Huntingdonshire, at Huntingdon.—*Thos. Jabez Spencer*, Godmanchester, Huntingdonshire, brick-maker, Sept. 21 at 11, County Court of Huntingdonshire, at Huntingdon.—*Thomas Thomas*, Bangor, Carnarvonshire, maltster, Sept. 11 at 10, County Court of Carnarvonshire, at Bangor.—*Henry Norton*, Sheffield, Yorkshire, hairdresser, Sept. 4 at 10, County Court of Yorkshire, at Sheffield.—*John Hughes*, Llantonchell, Anglesey, grocer, Sept. 17 at 10, County Court of Anglesey, at Llantonchell.—*Wm. J. Dennison*, Ryde, Isle of Wight, butcher, Sept. 16 at 10, County Court of Hampshire, at Newport.—*Henry Dawes*, Lilleshall, Shropshire, farmer's assistant, Sept. 11 at 11, County Court of Shropshire, at Newport.—*Francis Dodgson*, Sheffield, Yorkshire, butcher, Sept. 4 at 10, County Court of Yorkshire, at Sheffield.—*William Targett*, Bath, tea dealer, Aug. 31 at 11, County Court of Somersetshire, at Bath.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Sussex, at LEWES, Sept. 10.

James Agate, Keymer, farm servant.—*William Chisney*, Upper Seymour-st., Euston-square, Middlesex, in no business.—*Joseph Hayselden*, Brighton, builder.

At the County Court of Bedfordshire, at BEDFORD, Sept. 19 at 12.

Robert Perkins, Sharnbrook, dealer in cattle on commission.

At the County Court of Gloucestershire, at GLOUCESTER, Sept. 9 at 10.

Richard Morse, Gloucester, out of business.—*Ann James*, widow, Bristol, in no business.

At the County Court of Wiltshire, at SALISBURY, Sept. 7 at 10.

John Austin, Broad Blunsden, Highworth, carpenter.—*Edward Chapman*, Swindon, farmer.

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In a few days will be published,

THE NEW STAMP ACT, and complete TABLES of all the existing STAMP DUTIES; including the New Law Fund, Equity Fund, and Judgment Registry Duties, in Ireland, and of repealed Duties, &c. &c.; with Notes, showing the Alterations, and furnishing all the information rendered necessary by the New Act; together with the recent Cases, forming a Supplement to the Second Edition of the Treatise on the Stamp Laws, and making that Work complete to the present time. By HUGH TILSLEY, Esq., Assistant Solicitor of Inland Revenue.

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Stevens & Norton, 26, Bell-yard, Lincoln's-inn.

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An Act of Parliament, just obtained, enables this Society to give important Benefits to Persons now Assuring, the particulars of which are set forth in a Report, which can be obtained of any of the Society's agents, or by applying to

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The Right Hon. Lord Monteagle. Nassau W. Senior, Esq., Master in Chancery.
The Right Hon. the Lord Chief Baron. C. P. Cooper, Esq., Q.C., LL.D., F.R.S.
The Hon. Mr. Justice Coleridge. George Capron, Esq.
The Hon. Mr. Baron Rolfe.
The Hon. Mr. Justice Erie.

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Age at Commencement.	Amount added to Policy.	Cash Payment.
31	£ 367	£ 96
41	243	132
51	280	164

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AUGUST 31, 1850.

PRICE 1s.

* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

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LONDON, AUGUST 31, 1850.

THE Bankrupt Law Consolidation Act, 12 & 13 Vict. c.106, has led to several recent decisions, which we purpose to notice in the present article.

The 137th section requires that every judge's order, made by consent given by any trader defendant, authorising the plaintiff to enter up judgment, shall be filed within twenty-one days after the making of it, otherwise it shall be void to all intents and purposes whatever. This section has been held to apply to such traders only as are spoken of in the preceding sections and in the quasi preamble* to the group of sections contained between the 133rd and 138th, and therefore not to apply to a judge's order given by a trader merely as such, irrespective of any application of the bankrupt laws to his property. (*Bryan v. Child*, 14 Jur., part 1, p. 510).

The clauses relating to arrangements between debtors and creditors, under the control of the Court, (sects. 221—223), enable the debtor to obtain protection by his filing a petition, supported by affidavit; a private sitting is then appointed to be held, and notice hereof is to be given to every creditor, and the debtor is to file in court a full account of his debts, and the names, &c. of his creditors. If such account be not filed, his petition is to be dismissed. (Sects. 214, 223).

An arrangement made according to the statute is to be binding upon all persons who were creditors at the date of the petition, and who had notice of the several sit-

tings of the Court, and a certificate may thereupon be granted. (Sect. 216).

The whole of these proceedings being private, the provisions as to notice require to be carefully followed; but numerous instances will occur (as in the case of outstanding negotiable instruments) where the debtor will not be acquainted with the names or residences of his creditors, and therefore will not be able to give the necessary notices. No provision has been made, as by the Insolvent Act, 1 & 2 Vict. c. 110, s. 75, for stating that the name of the holder of any negotiable security is unknown; and under that statute it has been held, that, unless such statement is inserted, the holder is not deprived of his right to sue. (*Beck v. Beverley*, 11 M. & W. 145). And independently of the description of the creditors, the requirements as to notice must be fulfilled. At the time of the passing of the act, it was foreseen that this difficulty would prevent many persons, who had outstanding bills, from availing themselves of the act*; and it has lately been decided by the Court of Exchequer, that the protection from arrest, under sect. 216, will not operate against the holder of a bill of exchange, unless it be clearly made out that the party holding the bill at the time of the application, under the act, was affected with notice of such application. (*Levy v. Horne*, 14 Jur., part 1, p. 375). But it was held to be sufficient notice of a deed of arrangement, under sects. 224, 225, where the creditor was called upon with the deed, and the purport thereof was explained to him, and he was requested to execute the same. (*Marsh v. Higgins*†).

* Viz. "And with respect to transactions with the bankrupt, and executions against his property, up to the time of the bankruptcy, or within a limited time previously thereto, be enacted," &c.

* See note at p. 136 of Mr. Wise's edition of the Bankruptcy Act.

† In the Common Pleas, not yet reported.



By sect. 202, any contract made by a bankrupt for securing the payment of money as a consideration for such creditor to forbear opposing, or to consent to the allowance of the bankrupt's *certificate*, or to forbear to petition for the recall of the same, shall be void. A case has occurred in which the consideration for the security was forbearance to oppose the *final examination* of the bankrupt; and this was held not to be within the section. (*Taylor v. Wilson*, 14 Jur., part 1, p. 336).

A few cases, lately decided, relating to the law of bankruptcy, may here be noticed, although they are not immediately connected with the new bankruptcy statute. The first is upon the subject of fraudulent preference. It had been held that the fact of pressure by the creditor was not sufficient to prevent the act of bankruptcy from being a voluntary one, if the jury believed that such pressure did not cause the transfer or payment; and, on the other hand, that it did not follow, as a matter of law, that because the first step in the transaction, resulting in the preference, was taken by the bankrupt, it was therefore voluntary. (*Cook v. Pritchard*, 5 Man. & G. 329; *Van Casteel v. Booker*, 18 L. J., Ex., 8). And it is now decided, that if the payment is made under the influence of the pressure of the creditor, and also with a desire to give a preference to him in the event of a bankruptcy, it is not fraudulent. (*Brown v. Kempton*, 19 L. J., C. P., 169).

The next decision relates to the competency of creditors of a bankrupt as witnesses for the assignees in an action brought against them by the bankrupt to try the validity of the fiat, and decides that, in such a case, they are competent. (*Colombine v. Penhall*, 14 Jur., part 1, p. 460; 19 L. J., Q. B., 302). It was contended that they were admissible at common law; but the judgment of the Court proceeded upon the ground that they are rendered competent by the 6 & 7 Vict. c. 85, and are not excluded by the proviso, as being persons on whose "immediate and individual behalf" the action is defended. "The action is brought," said Patteson, J., in delivering judgment, "by the bankrupt against the assignees, for acts done by them, as the plaintiff alleged, without any lawful authority, the supposed authority not being in any respect derived from the witnesses, and they being entire strangers to the acts done, and in no way answerable in costs or otherwise;" and the Court distinguished the case from *Belcher v. Braks*, (2 Car. & K. 658), in which an action was brought by the assignees of a bankrupt to recover a sum paid by way of fraudulent preference; and Wilde, C. J., ruled that the creditors were not competent witnesses*.

There the money to be recovered in the action would increase the fund among the creditors, and the party in the cause and the witnesses stood in the relation to each other of trustee and cestuis que trust, at the time of the trial, in respect of the very subject-matter sought to be recovered.

THE REGISTRATION AND CONVEYANCING COMMISSION.

(Continued from p. 301).

WE propose to conclude our somewhat lengthened notice of this important Report with a sketch of Mr. Wilson's plan for a register of title.

In a letter to Mr. Coulson, Mr. Wilson explains and defends the principle of his scheme upon abstract grounds. He contends that the right of alienation is a simple uniform right, whatever the subject-matter of it may be, and ought to be exercisable in a simple and uniform manner; that if, at a given moment, the right of alienation be shewn to reside in a given person, the simple act of transfer of that right to another (being documentary, and not the mere delivery of a chattel) ought to constitute the sole and sufficient evidence of the transferee's right, the document evidencing the now extinguished right of the former owner being cancelled. If, then, the only alienation of real property were absolute indefeasible transfers of the entire interest, they might be effected by providing the owner for the time being of the property with a certificate of his ownership, to be issued by a public officer, on which, upon an alienation, the owner would indorse an authority to the officer to cancel that certificate, and to issue a similar one to the alienee. The property would be identified by numbers, referring to a public map. Thus the transfer of absolute interests might be made with certainty and facility, the necessity for retrospective investigation of title being abolished by the expedient of requiring the issue of each new certificate of title to be preceded by the surrender and cancellation of the old one. The transition from the existing system to such a system of certificates presents some difficulties, which will be considered presently. Supposing them to have been surmounted, the plan thus far provides completely for the successive transfers of absolute interests in fee-simple. It is identical with the method now in use for transferring railway shares. But there are heirships, devises, derivative interests, charges, equities, &c. to be provided for. This may be done very simply and effectually by modifying, without departing from, the original idea. The certificate of ownership represents the precise interest which the possessor has in the property to which it relates. If he is absolute owner in fee, without incumbrance, it describes him simply as owner. If he has made a mortgage, it describes him as owner subject to a mortgage, which is indicated by stating the amount, and the name of the mortgagee, and referring to the entry in the registrar's book where the mortgage is noted up. At the same time the mortgagee possesses a certificate of his ownership of a mortgage security on the land for so much. A third person may be holder of a certificate of his title to a lease for years of the property, in which case the certificates held by the mortgagor and mortgagee will state that they hold subject to such lease. These certificates may be separately dealt with and surrendered in the same way as a certificate of absolute ownership; and so of every other limited estate or interest in land which is allowed to be represented by certificate. The plan is capable of being extended to every modification of interest allowed by the law, but it would not be necessary or expedient to do so; and Mr.

* The contrary is said to have been held by Pollock, C.B.

Wilson proposes to retain the distinction between legal and equitable interests, representing the former by certificates, and representing and protecting the latter, and also executory and contingent estates, whenever it is thought necessary, by *caveats*, as will be presently explained. Confining our attention for the present to vested interests represented by certificates, it will be observed that the distinctive difference between Mr. Wilson's plan and the present system is this—that whereas at present the various limited interests into which the ownership of a piece of land is carved may be evidenced by a single deed or will, or by an indivisible *pleas* of documents, and by proof of facts not documentary, all of which, collectively, must be proved, considered, and interpreted before the ownership of any one of such limited interests can be ascertained,—Mr. Wilson's plan provides that each interest shall be separately defined, represented, and proved by a single document appropriated to itself, and capable of being separately dealt with, without any reference to the origin or evidence of the interests of the other parties. It will be sufficient if we shew how this may be done in the cases of a *descent*, a *devise*, a *mortgage*, a *lease*, and a *marriage settlement* creating contingent estates and charges.

As land is subject to the payment of debts, Mr. Wilson proposes, as a convenient but not essential part of his plan, to vest the legal power of disposition in the executors or administrators. The probate or letters of administration would then be required, in addition to the certificate of the title of the deceased owner, before the registrar would accept a transfer; and it might be the registrar's duty to give certain notices, &c., for the heir's protection, before passing a transfer. If this were not done, the heir might be allowed, after having his title authenticated in some way, (as in Scotland), to obtain a certificate of title. But the case of a devise would still be unprovided for, unless a Court were authorised to put a construction upon the will, and decide at once what certificates of ownership should be issued, (provision having been made, as will be presently explained, for the issuing of certificates of partial and qualified ownerships). The objects of contingent limitations would then have to come in as their rights became vested. If the plan of vesting the legal estate in executors or administrators were adopted, Mr. Wilson thinks it would be necessary or expedient to change the mode of appointing administrators, or to appoint an official trustee; or (this is not proposed by Mr. Wilson) there might be a special executorship or administration in respect of real estate, power being given to testators to appoint executors real, in default of which, a Court, having analogous jurisdiction to that of the Ecclesiastical Court, might grant letters of administration real, in which case the heir would be protected by the usual citations, &c. The same machinery would provide for the case of a devise.

A *mortgage* will be effected by sending the certificate of ownership to the registrar, with instructions indorsed on it to issue a certificate of mortgage. This certificate will state the parcels, (by reference to the map), the mortgagee's name, the sum secured, the rate of interest, the time or times of payment, and whether with or without power of sale. A legislative enactment might define the rights and powers of a mortgagee, in the absence of special stipulations, to be contained, if necessary, in a deed referred to in the certificate, and registered: The mortgagor's original certificate of absolute ownership, being now inapplicable to his qualified title, is cancelled, and retained by the registrar as his authority and voucher, who copies the indorsed mortgage in a book, and issues a fresh certificate to the mortgagor, which describes him as owner "subject to a mortgage to A. B. for £—, with interest at £— per cent., as per mortgage annexed to certificate

No. —, copied in book —, p. —." In like manner, if the mortgagee is a second mortgagee, the certificate issued to him will describe his interest as subject to the first mortgage; and so whenever any interest is taken subject to any other interest capable of being or allowed to be represented by a certificate. When the mortgagor transfers his equity of redemption, he indorses a transfer on his certificate, and transmits it to the registrar, who cancels it, and issues a similar certificate to the transferee. The mortgage is transferred by a like process. In short, in accordance with the principle that the act of transfer is essentially the same, whatever the nature of the thing or interest transferred, every transfer of any interest which is allowed to be represented by certificate, is to be effected in the same way, viz. by cancelling and filing the old certificate, and issuing a new one in the name of the transferee.

When the owner grants a *lease*, he surrenders his certificate of absolute ownership, with the lease annexed, and takes back one of ownership, "subject to a lease to A. B. for — years, at the yearly rent of £—, as per lease annexed to certificate No. —, and copied in book —, p. —." The old certificate, with the lease annexed, is filed in the office, and copied into a book. At the same time the lessee receives a certificate that he is owner of "a lease of the property for — years, at the yearly rent of £—, as per lease annexed to certificate," &c.

If a lease is granted by a mortgagor and mortgagee, or other persons having different certified interests in the property, each one surrenders his certificate, and takes back another, expressed to be subject to the lease. On the other hand, if the lease is granted only by a person having a limited interest, the certificate expresses that the lease is subject to the interests of those parties who have not joined in it.

The provision for the case of a *settlement*, creating trusts, charges, and contingent and executory interests, must be introduced by the observation, that at the present moment the largest estates are commonly, and without any hesitation, settled and limited in such a way as to be at any moment saleable by the trustees for the time being, with the concurrence of the tenant for life, if living, and after his death, and during the minority of the tenant in tail in possession, at their discretion; the propriety of any exercise of the power being questionable only as against the trustees, and not as against an innocent purchaser from them. Occasionally settlers and testators object to the insertion of such a power, and sometimes the power is not extended to the principal mansion and demesnes. But these are exceptional cases, for which, as we shall see, special provision may be made. In a large majority of cases, settled estates are, in effect, so limited that three or four persons named in the settlement, or their assignees, have an absolute power of alienation, for the due exercise of which they are answerable in equity, but which is without control, so far as purchasers are concerned. In ordinary cases an estate settled according to Mr. Wilson's plan would be in substantially the same position. He proposes, that on a settlement the trustees shall receive a certificate of ownership as *trustees of the settlement*, with a reference to a copy of the settlement in the registrar's book. This, he says, would give notice of the settlement, and of the powers contained in it; and any person taking directly from the trustees, in contravention of the settlement, would take with notice of a fraud or breach of trust, and so would take subject to the settlement. But as he would take a simple certificate of ownership, not referring to the settlement, a purchaser from him, without actual notice, would be safe. Now, Mr. Wilson appears to think that the consequence of the first transferee taking with notice would be some check upon the abuse of the power by the trustees. But that would not be so, for the trustees, intending to commit a breach of trust, or to sell without affording the pur-

chaser an opportunity of investigating their power of sale, would, as a matter of course, first execute a formal transfer to a nominee or nominees, whose title to sell would then appear upon the certificate to be unqualified. But effectual checks may, as Mr. Wilson has shewn, be provided. These checks are to be effected partly by means of caveats, and partly by giving to the registrar or to a public trustee a quasi judicial power; i. e. the same kind of power which trustees having a power of sale now possess. Authority might be given to settlers to make the registrar a kind of protector of the settlement.

The caveats are designed to provide for the creation and protection of equitable interests of every kind, for Mr. Wilson proposes to allow of every variety of ownership or interest in real property that is at present recognised, varying only the mode of protecting and dealing with such interests. Any person is to be at liberty to enter a caveat in the register office against any property, entitling him to short notice of any intended alienation, at the peril of an action for costs, and perhaps for damages, if he do so without cause. If he produce to the registrar (to be filed in the office) satisfactory documentary evidence of his right to notice, the caveat will entitle him to "full notice," which may give him a considerable time, say four or five years, from the service of the notice, within which time a purchaser from the holder of a certificate of absolute ownership would take, subject to the equitable rights, if any, of the party entering the caveat. The caveat would be entered in the registrar's index against the property, and immediate notice of it ought to be sent to the registered owner, in order that he may, if he think fit, apply to have it discharged, primary jurisdiction being given to the registrar to hear and decide such questions, subject to an appeal to a Court of law or equity. (Mr. Wilson gives forms for these proceedings). And certificates of ownership, issued during the subsistence of the caveat, might be expressed to be subject to it.

The party entering the caveat would receive a certificate of being entitled to short or full notice, in respect of the particular property. This certificate would represent his equitable title, and would be capable of being transferred, mortgaged, settled, &c., in the same manner as a certificate of legal ownership. On the determination of the equitable title, the certificate would generally be got in, and the caveat cancelled; and if this were neglected, the worst inconvenience would be, that a sale could not be completed without investigating the equitable title, which, by means of the outstanding caveat, would be brought to the purchaser's notice.

The only difficulty in the system of caveats is to provide for the effectual service of the notice. Mr. Wilson proposes that a large official letter, indorsed "On her Majesty's service," or otherwise, should be sent three or four times by the post to the address mentioned in the caveat. But it is obvious that death and change of residence must often render such services ineffectual. The risk may be lessened by naming two or three persons on the caveat as quasi trustees for the equitable owner, to each of whom the notices should be sent—one of them might be his solicitor. There might also be advertisements in newspapers. And when it is considered that it is only in the improbable case of a trustee intending to attempt (with the purchaser's concurrence) a fraudulent disposition of the property, in defiance of the chance of detection by means of the caveat and the notices founded on it, that it would become necessary to send a notice at all, the risk of failure will appear to be very inconsiderable. The rule will be, that a trustee, before he attempts to sell, will consult all the parties whose consent is, in equity, material. It will be the exception where he omits to do so, and brings the caveat into operation. Generally the first

notice would bring a communication from the cestui que trust, and if no answer were returned, an honest purchaser would at once be put upon inquiry. It might be made a part of the plan to require an answer to be returned within a week, under a small penalty; and if no answer were returned within that time, it might be made the registrar's duty to inquire on the spot whether the party was dead, or had changed his residence, and in such case to take such steps as he should deem expedient for the protection of the equitable interest.

The application of this machinery to settlements and wills is obvious. Every particular estate, equitable interest or charge, limited to a person in existence, which the settlor or testator might not choose to place in the power of the trustees, would be protected by a caveat in the name of such person. The caveat would be entered at the time of making the settlement; or, in the case of a will, the testator would direct it to be entered—a direction which the registrar would be bound to attend to. Contingent estates and interests would, as we collect from Mr. Wilson's statement, be placed under the protection of the registrar or of an official trustee; but he does not explain how this would be worked out. Very simple machinery would be sufficient. Thus, if it were required to protect future children in respect of a contingent estate tail limited to the eldest son, and portions limited to the other children, the caveat might require notice to be given "to the tenant in tail for the time being under an indenture of settlement, dated" &c., and "to the second and other sons and the daughters of A. B. and C. D., their executors or administrators." After the entry of such a caveat it would be the registrar's duty not to pass a transfer of the legal estate without being satisfied, by strict evidence, that all the persons referred to in the caveat had come into existence and were *sui juris*, and that due notices had been served on them.

There is one other mode of gaining a title which requires to be specially provided for—that by *adverse possession*. Adverse possession ought, of course, to be as good a defence against a registered title as it now is against a legal title. But the title so gained would not be complete without registry; and Mr. Wilson proposes to give an "action of adverse possession" against the registered owner, which, if successfully prosecuted, would entitle the owner by adverse possession to have the registered title cancelled, and a certificate of ownership issued to himself. The action is to be commenced by a writ requiring the registrar to send notices at intervals, for a certain time, to the holder of the registered title, acquainting him that some one else has claimed the property by adverse possession. "I propose that this should be done for twenty years; that is to say, there should be one notice immediately, then a yearly notice for five years, and then a notice once every fifth year for other fifteen years, making nine notices altogether, with an equal number of advertisements. I have mentioned twenty years in order not to propose any alteration in the present law. My own opinion, however, is, that twenty years would be a great deal too long." If the registered owner appear to the action, no further notices are to be sent. The meaning of this provision for notices may be thus explained:—The plaintiff has already acquired, or supposes that he has acquired, a title by possession; but as that title depends on facts incapable of being satisfactorily proved *ex parte*, there must be superadded, as the basis of a documentary title, a further period of adverse possession, which may be so proved, analogous to the old fine and proclamation, namely, a period of enjoyment under a public and official assertion of title by adverse possession, which, if false, (i. e. if the enjoyment has not been had at all, or if it has been had by virtue of a particular estate), will, it may be presumed, be controverted by the persons whose title is threatened. In the mean-

time, the title, such as it is, of the person in possession may be transferred, Mr. Wilson says, by deed, and may be protected by caveat. Perhaps a better plan would be to give him a special certificate of ownership under a claim of title by adverse possession, which, on the expiration of the probationary period, might be exchanged for an ordinary certificate.

In following out the analogy of our existing law, the period of twenty years for notice should not commence, as against remaindermen and reversioners, appearing to be such *on the register*, until their estates fall into possession; but reversioners or remaindermen expectant on leases or particular estates not registered might for this purpose be reasonably treated as estates in possession.

We now come to the mode of starting the register into operation. Mr. Wilson's explanations on this point are not very clear to us. He suggests, that so important an alteration in the law and practice of conveyancing would attract general attention, and that it would be reasonable to require all persons claiming any interest in land—whether in possession or reversion, at law or in equity, by way of estate or by charge—to register their claims within a limited period from the commencement of the system. He proposes ten years. The certificates taken out during this period would only shew a presumptive title, and would require to be fortified, as at present, by a retrospective investigation of the prior title. He would have the provisional registration take place parish by parish—one of the vice-registrars, after sufficient public notice, going down to a particular parish, and registering all the lands there, without any examination of title-deeds; in undisputed cases, taking the person preferring himself as owner; in disputed cases, registering the person in possession or receipt of the rents, if the dispute is between two persons, each claiming the absolute ownership, and registering in the name of an official trustee, who might be the registrar, if the dispute is between parties claiming different interests under a settlement—between a tenant for life and a remainderman, for instance. So long as the title stands in the name of the official trustee, Mr. Wilson proposes to let in additional claims, and not to allow the period of limitation to commence until, by consent of all the conflicting claimants, a transfer has been made from the official trustee to one of them, or to trustees for them. This would furnish a motive to all parties to compound their differences. All unclaimed property would also be placed to the name of an official trustee. Thus the whole of the parish would get on to the register. In his last examination he states this somewhat differently:—

"The first registration would be only provisional, and persons having adverse claims would be allowed a sufficient time to come in and register them—say five years, with a moderate extension, limited to an extreme period of twenty years from the date of the registration, in favour of persons under disabilities. During these twenty years the register would be a convenient instrument of transfer, and would be relied upon more and more every year as a presumptive title. At the end of the prescribed period the machinery would be in full operation, and the whole title would appear upon the register. Our system might thus be introduced without any investigation of existing titles, or interference with existing rights." (P. 535).

We think that Mr. Wilson's expectation of getting entirely rid of retrospective investigations of title within a period of ten or twenty years from the establishment of his register cannot be realised, unless, indeed, the adoption of his scheme is postponed until after the registry proposed by the commissioners has been in operation for some thirty or forty years, so as to furnish tolerably complete materials for commencing the certificate system upon the basis of a judicial investigation of the then existing titles. After a good registry of

title-deeds has been in operation for a considerable time, there can be little objection to such an investigation; under existing circumstances it would be utterly impracticable; nor does Mr. Wilson propose it. But the establishment of an invariable period of limitation against all claims and titles, without distinction, is equally impracticable, whether the period be ten, twenty, sixty, or even one hundred years. The law allows an estate to be so limited that it may not absolutely vest in any person until after the expiration of twenty-one years from the death of some person in being when the limitation is made. By a strange blunder of the judges who have settled the rule which prohibits limitations more remote than this, the period of twenty-one years is irrespective of infancy, and the estate, when it does vest, may vest in an infant newly born, or even merely procreated and unborn. Thus, taking 100 years as the possible duration of a life, the law allows of limitations which may possibly suspend the vesting of an estate for a period 121 years, and may suspend its vesting in a person capable of dealing with it for 142 years; and even then there may be a succession of infancies. Again, the law allows the creation of long terms of years at nominal rents, or without rent; and beneficial terms for long periods are not uncommon. But no statute of limitation has hitherto allowed a remainderman or reversioner to be affected by the wrongful possession of another before the time limited for the enjoyment of the remainder or reversion in possession, and no attempt to do so would be endured. It is true that titles are seldom, or rather never, investigated to the extent which is necessary to give absolute assurance of safety; for even if the investigation were carried back for 500 years, it is possible that the possession during the whole of that time may have been had under a mere term still unexpired. The expense, and often the impossibility, of carrying back the investigation of titles much beyond the usual period of sixty years, have obliged parties to make a compromise between expediency and caution. But this is done at the risk of the purchaser, for the law does not allow a legal title to be defeated by any means, except adverse possession for at least twenty years after the commencement of the title in *possession*. Notwithstanding the admitted incompleteness of the investigation of a vendor's title under the existing system, very few cases of the eviction of a purchaser have occurred; though we question whether, under the present reckless practice of purchasing under conditions of sale which practically preclude the purchaser from any effective investigation of the title, such cases are not likely to be much more frequent than they have been. Whatever the risk may be, it must continue to be borne by the purchaser; no interference with the protection now afforded to the owners of deferred estates and interests, and to persons under disability, must be attempted. Subject to this qualification, and with proper remedies, as proposed by Mr. Wilson, for persons aggrieved by wrongful entries on the register, we think that the system might be brought into operation without much difficulty. For a considerable period the title prior to the commencement of the register would be investigated as at present, but the growth of abstracts would be arrested for ever, and every year would draw a lengthening veil over the commencement of them. In the meantime the advantage of a simple and inexpensive form of conveyance in the ordinary operations of sales, mortgages, leases, &c. would not be inconsiderable.

We shall conclude with some miscellaneous explanations and extracts from Mr. Wilson's examination. As to the suggested probability of a map ceasing to represent the existing features of the land, he says, (after suggesting that the map might be the basis of a valuation for the purposes of local taxation, as has been proposed for Ireland)—

"I have not, however, inserted the valuation in these forms, and I only refer to the subject for the purpose of saying, (as I heard Mr. Symonds, the Registrar of Metropolitan Buildings, say one day), that if you could make a public map of this kind useful for a number of different purposes, you would insure its correctness for each separate purpose. If you had the clergyman referring to it continually for his tithes—if you had the overseer referring to it for the poor-rates—if you had solicitors, for instance, referring to it for their charges, [a per-centage, we presume, on the value], and other classes of persons continually referring to it for purposes of conveyancing—the map could never remain wrong, because, if it were wrong, the error would be found out directly by some one or other." (P. 844).

Equitable Mortgages.—For a temporary loan, the owner simply deposits the certificate, with a short memorandum of deposit. "I would thus accomplish an object which appears to me to be a very important one, namely, that of preserving the doctrine of equitable mortgages while removing its inconvenience; for you will observe that here is no false credit whatever. The credit is attached by this machinery to the possessor of the certificate. If, then, a man has parted with his certificate, he derives no legitimate credit from his land; so that we escape entirely from the inconvenience of giving a false credit by allowing a secret pledge."

Little danger of forgery is to be apprehended. It would be impossible without access to the certificate for the time being in force; for the registrar will keep counterparts of all the certificates issued in a private day-book, constituting the legal register for the parish. Each leaf of this book will be a printed blank form, identical with the blank form which Mr. Wilson proposes to employ for every variety of legal certificate. The leaves will be numbered consecutively, and will be filled up in order as the business of the office proceeds. Each certificate which is issued will refer to the number of the leaf of the book in which it is copied. Thus the certificate of A. B.'s mortgage may be numbered 74; but before the mortgage is transferred, many other entries will have been made in the book, and on a transfer to C. D. the certificate may bear the number 256. No one, therefore, from merely having access to or knowing the number of A. B.'s certificate, could forge C. D.'s certificate.

The existing causes of the length of a conveyance are such:—"I take it you may have a valid conveyance in these terms—'I, A. B., grant to C. D. and his heirs such a property.' If, then, deeds are long, it is either because of the retrospective title, which leads to recitals; or because of the imperfection of the mode of description, which leads to long parcels; or because of the uncertainty of the title conveyed, which leads to covenants for title. There is no occasion to change the form of conveyance to make it simple, because it is simple already. What you want is, to change the circumstances which give rise to special and complicated additions to the legal form essentially required." (P. 538).

Again. "Supposing I hold property subject to trusts at this moment, it is clear that that property may be so circumstanced as to be inalienable, if the law carries out what it ought. And therefore I would leave such property inalienable still; only I would so alter the means by which it is made inalienable as to render its inalienability compatible with the free alienation of property which is not under trust. The object is, not to make settled property alienable, unless the parties choose to make it so by their own affirmative act, but only to prevent the machinery of settlements from rendering *unsettled* property well nigh inalienable, through the complications and difficulties of titles and conveyances." (P. 503). G. S.

London Gazette.

TUESDAY, AUGUST 27.

BANKRUPTS.

JOHN MAINPRICE, Soham, Cambridgeshire, innkeeper, Sept. 4 at 2, and Oct. 8 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Hustwick, Soham, Cambridgeshire; Hawkins & Co., 2, New Boswell-court, Carey-street, London.—Petition filed Aug. 17.

HENRY WARD, Holbeach, Lincolnshire, draper, dealer and chapman, Sept. 13 and Oct. 18 at 12, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Cooper & Sons, Manchester; Motteram & Co., Birmingham.—Petition dated Aug. 15.

JAMES ROBINSON, Ripon, Yorkshire, surgeon and apothecary, Sept. 13 and Oct. 7 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Mitchell, Halifax; Wise, Ripon; Courtenay, Leeds.—Petition dated and filed Aug. 23.

JOHN KING, East Stonehouse, Devonshire, builder, excavator, contractor, dealer and chapman, Sept. 12 and Oct. 3 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sols. Edmonds & Sons, Plymouth; Stogden, Exeter.—Petition filed Aug. 20.

JOHN CHELL, Manchester, oil and colour man, and dealer in crown and plate glass, dealer and chapman, Sept. 6 and Oct. 1 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Andrew, Manchester; Thompson & Debenham, Salters'-hall, London.—Petition dated Aug. 16.

MEETINGS.

Edward Perks, Redditch and Stoke Mills, Worcestershire, needle manufacturer, Sept. 19 at half-past 12, District Court of Bankruptcy, Birmingham, and. ac.—*Robert Chitton*, Brandon, Suffolk, brewer, Sept. 19 at half-past 1, Court of Bankruptcy, London, div.—*Edward Williams* and *John Williams*, Dudley, Worcestershire, Sept. 12 at half-past 12, District Court of Bankruptcy, Birmingham, and. ac.; Sept. 19 at half-past 12, div.—*George Bailey*, Coventry, ribbon manufacturer, Sept. 12 at half-past 12, District Court of Bankruptcy, Birmingham, and. ac.; Sept. 19 at half-past 12, div.—*George Billins*, Droitwich, Worcestershire, salt manufacturer, Sept. 9 at 11, District Court of Bankruptcy, Birmingham, and. ac.; Sept. 23 at 11, div.—*Wm. Hague*, *Samuel Hague*, and *Wm. Shatwell*, Manchester, commission agents, Sept. 18 at 12, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Jas. Woods, Conduit-street, Bond-street, Middlesex, tailor, Sept. 19 at 2, Court of Bankruptcy, London.—*Thomas Garrett*, Stowmarket, Suffolk, coachmaker, Sept. 19 at 12, Court of Bankruptcy, London.—*John Sharrock*, Toxteth-park, Lancashire, licensed victualler, Sept. 23 at 11, District Court of Bankruptcy, Liverpool.—*Thomas Rollason* and *William Bertram*, Birmingham, china dealers, Sept. 28 at 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

George Brooks Pettit, Brook-street, New-road, St. Pancras, and Upper St. Martin's-lane, Middlesex, ironmonger.—*Rich. Dart*, Bedford-street, Covent-garden, Middlesex, coach-lace manufacturer.—*Joseph John Monk Mason Scott*, Liverpool, wine merchant.—*Joak Crossley* and *Jonathan Crossley*, Bangor, Carnarvonshire, wine merchants.

PARTNERSHIPS DISSOLVED.

Daniel Crosland Battye and *John Clay*, Huddersfield, Yorkshire, (under the style or firm of Battye & Clay), attorneys and solicitors.—*William Smith* the younger and *William Hesp* the younger, New Jubbergate, York, (under the style or firm of Smith & Hesp), solicitors.

SCOTCH SEQUESTRATION.

John Boyd, Perth, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Cooper, Church Gresley, Derbyshire, innkeeper, Sept. 16 at 11, County Court of Staffordshire, at Burton-on-Trent. — *William Hill*, Portobello, near Stourbridge, Worcestershire, dealer in gleeds, Sept. 16 at 10, County Court of Worcester-shire, at Stourbridge. — *William James*, Ketley Sand, Welling-ton, Shropshire, butcher, Sept. 30 at 10, County Court of Shropshire, at Wellington. — *E. Nicholls*, Burslem, Staffordshire, innkeeper's assistant, Aug. 29 at 10, County Court of Stafford-shire, at Hanley. — *William Booth*, Burslem, Staffordshire, batty collier, Aug. 29 at 10, County Court of Staffordshire, at Hanley. — *James Jackson*, Moor Nook, within Elton, Bury, Lancashire, joiner, Sept. 25 at 11, County Court of Lancashire, at Bury. — *John Cox*, Snettisham, Norfolk, shoemaker, Sept. 7 at 2, County Court of Norfolk, at King's Lynn. — *G. Bishop*, Crewkerne, Somersetshire, shoemaker, Sept. 11 at 9, County Court of Somersetshire, at Crewkerne. — *J. Wright* the younger, Spilsby, Lincolnshire, butcher, Sept. 18 at 10, County Court of Lincolnshire, at Spilsby. — *D. Harlow*, St. Werburgh's, Derby, bricklayer, Sept. 28 at 11, County Court of Derbyshire, at Derby. — *Wm. Barrie*, King's Lynn, Norfolk, pattern maker, Sept. 7 at 2, County Court of Norfolk, at King's Lynn. — *James Charlesworth*, Shoerness, Isle of Sheppy, Kent, licensed fisher-man and waterman, Sept. 14 at 10, County Court of Kent, at Shoerness. — *Henry T. Goodfellow*, Glastonbury, Somerset-shire, druggist, Sept. 27 at 10, County Court of Somerset-shire, at Wells. — *Richard William Purnell*, Portway, Wells, Somersetshire, surgeon, Sept. 27 at 10, County Court of So-mersetshire, at Wells. — *John Barnatt*, Chasewater, Kenwyn, Cornwall, painter, Sept. 6 at 11, County Court of Cornwall, at Truro. — *Geo. Fred. Stidolph*, Tunbridge Wells, Kent, piano-forte maker, Sept. 13 at 10, County Court of Suffolk, at Ips-wich. — *Edw. R. Smyth*, Ipswich, Suffolk, artist, Sept. 13 at 10, County Court of Suffolk, at Ipswich.

Saturday, Aug. 24.

The following Assignees have been appointed. Further par-ticulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Hayes, Edgerton, near Birmingham, gentleman, No. 21,310 C.; *James Wells Taylor*, new assignee, in the place of Alexander Stiven, removed. — *Joseph Bullock*, Oxford, inn-keeper, No. 72,680 C.; *Thomas Hall*, assignee. — *Anthony Binks*, Blackwellgate, Darlington, Durham, watchmaker, No. 72,720 C.; *Ralph Dunn*, assignee. — *Bernard King*, Liver-pool, tailor, No. 72,350 C.; *Joseph Anthony* the younger, assignee. — *Jacob Barrowe*, West Walton, Norfolk, farmer, No. 72,282 C.; *Susan Dunmore*, assignee. — *Henry Moore*, Clavering, Essex, miller, No. 72,461 C.; *John Felton*, as-signee.

Saturday, Aug. 24.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. John Howe, Clifton-grove, Asylum-road, Old Kent-road, Surrey, attorney's clerk: in the Debtors Prison for Lon-don and Middlesex. — *Henry Kerrison*, Bath-place, Cale-donian-road, Islington, Middlesex, carpenter: in the Debtors Prison for London and Middlesex. — *Christopher Ibberson*, Esher-street, Upper Kennington-lane, Surrey, railway clerk: in the Gaol of Horsemonger-lane. — *Mary Olivia Williams*, widow, South Island-place, Brixton-road, Surrey, in no bu-siness: in the Gaol of Horsemonger-lane. — *Henry Hartley*, George-street, Mineries, London, tailor and draper: in the Queen's Prison. — *Charles Prosper Latent*, Great Pulteney-street, Golden-square, Middlesex, commission agent: in the Debtors Prison for London and Middlesex. — *George Raven*, Grove-cottage, Fognal, Hampstead, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex. — *Joseph Heggatt*, Southwark-bridge-road, Southwark, Surrey, brick-maker: in the Queen's Prison. — *William Stegals*, Gravel-hill, Leatherhead, Surrey, shoemaker: in the Gaol of Surrey. — *John William Fletcher Kelsey*, East-lane, Bermondsey, Surrey, milkman: in the Gaol of Surrey. — *Joseph Aguilar*, Wellington-place, East-street, Walworth, Surrey, accountant: in the Debtors Prison for London and Middlesex. — *Thomas*

Woodzell Booth, Pr in the Debtors Prison *Salmon*, Molyneux-st the Debtors Prison *M'Inyre*, Barnard's- thematical teacher: i Middlesex. — *John Jo* in the Debtors Prison *Capelain*, Ampton-pl to a patent agent: in Church-lane, Whitech the Debtors Prison fo Newcastle-st., High-victualler: in the De sex. — *William Trevor* Coventry. — *Ralph* master mariner: in t *James*, Tiddenham, (Gaol of Gloucester. — Easton-square, Midd Lewes, Sussex. — *Jas.* in the Gaol of Lewes. hatter: in the Gaol of near Leeds, Yorkshire. — *Wm. Nind*, Birming try. — *Wm. Jordan*, Ga shire, shoemaker: in ti way, Weston-super-M of Wilton. — *Benj. W.* shire, woollendrapers *Bottley*, Birmingham, l wick. — *Christopher D* the Gaol of Lancaster shire, grocer: in the Redditch, Worcesterah ventry. — *James Hudson* in the Gaol of Coventry

The following Prisoners a Judge of the Cons with according to the At the County Court

The Rev. George Fre At the County Court of Robert Godbold, Man

FRID

B

ROBERT BARKER at fordshire, drapers, dea Oct. 10 at 12, Court Cannan; Sol. Hardwi street.—Petition dated **VIRGIL JAMES POW** road East, Middlesex, t 7 at half-past 11, and London: Off. Ass. Whi street.—Petition dated **ROBERT M'DOWALL** Worthing, Sussex, dra 11, and Oct. 10 at half-don: Off. Ass. Whitm Holborn.—Petition dat **CHARLES PORTER**, la and chapman, but now at 1, and Oct. 11 at 1 Off. Ass. Graham; Sol. London.—Petition filed **SAMUEL WILSON**, W and flour dealer, dealer Oct. 15 at 11, District ham: Off. Ass. Whitm Petition dated Aug. 22. **WILLIAM JEFFERSO** dealer and chapman, Se District Court of Bank Ass. Carrick; Sol. Moss

ROBERT SMITH, Liverpool, tavern keeper and cordial manufacturer, dealer and chapman, Sept. 11 and Oct. 4 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Owen, Liverpool.—Petition filed Aug. 27.

WILLIAM MILLER and ALEXANDER MILLER, Liverpool and Bootle, Lancashire, wine and spirit merchants, brewers, dealers and chapmen, (lately carrying on business at Liverpool and Bootle in copartnership with Arthur Beard), Sept. 11 and Oct. 4 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Cooper, Manchester.—Petition filed Aug. 26.

JOHN SNOWBALL, Gateshead, Durham, builder, dealer and chapman, Sept. 13 at half-past 10, and Oct. 15 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. T. & W. Chater, Newcastle; Bell & Co., Bow-churchyard, London.—Petition filed Aug. 19.

MEETINGS.

Henry Dawes, Great Malvern, Worcestershire, maltster, Sept. 12 at 12, District Court of Bankruptcy, Birmingham, ch. ass.—John Wallace, Carlisle, Cumberland, grocer, Sept. 13 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—Buckley Royle, Manchester and Ardwick, Lancashire, gingham manufacturer, Sept. 11 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Sept. 20 at 12, div.—Peter Little, Blackburn, Lancashire, currier, Sept. 11 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Sept. 20 at 12, fin. div.—Wm. Hague, Samuel Hague, and Wm. Shatwell, Manchester, commission agents, Sept. 11 at 12, District Court of Bankruptcy, Manchester, aud. ac.—John Hall, Shrewsbury, Shropshire, timber merchant, Oct. 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—Thomas Williams, Birmingham, surgeon, Sept. 26 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—Joseph Boycot, Kidderminster, Worcestershire, draper, Sept. 21 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Sept. 24 at 12, div.—William Tyther, Birmingham, tallow-chandler, Sept. 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—Samuel Adams, Birmingham, gun manufacturer, Sept. 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—Frederick Stoessiger, Birmingham, jeweller, Oct. 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—Wm. H. Ethell, Birmingham, saddler, Sept. 17 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—Wm. Higgs, Wolverhampton, Staffordshire, iron dealer, Sept. 17 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—John Davies, Dudley Port, Staffordshire, iron master, Oct. 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—Wm. Hensworth, Primrose-street, Bishopsgate-street, wine merchant, Sept. 23 at 11, Court of Bankruptcy, London, div.—Wm. Willis, Trowbridge, Wiltshire, wool broker, Sept. 23 at 11, Court of Bankruptcy, London, div.—Wm. J. Duckham, Little Love-lane, Wood-st., Cheapside, London, hosier, Sept. 21 at half-past 1, Court of Bankruptcy, London, div.—John Coker, Narford, Norfolk, timber dealer, Sept. 26 at half-past 12, Court of Bankruptcy, London, div.—George Tiel and Basil M. Ronald, Old Jewry-chambers, London, East India merchants, Sept. 26 at 11, Court of Bankruptcy, London, div.—John R. Henderson, Leicester, wine merchant, Sept. 27 at 10, District Court of Bankruptcy, Nottingham, aud. ac. and div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Samuel Gillatt, Chapel-street, Grosvenor-sq., Middlesex, builder, Sept. 27 at 12, Court of Bankruptcy, London.—John Ryan, Mark-lane, London, and Manor-lane, Bermondsey, Surrey, manufacturing chemist, Sept. 26 at 2, Court of Bankruptcy, London.—Joseph Arundell, Titchfield, Southampton, brewer, Sept. 21 at half-past 11, Court of Bankruptcy, London.—J. Barnard, Stanford Rivers, Essex, baker, Sept. 28 at 11, Court of Bankruptcy, London.—Thos. Collingwood, Abingdon, Berkshire, butcher, Sept. 21 at 11, Court of Bankruptcy, London.—Daniel Pretymann and Geo. H. Hobson, Cornhill, London, ironmongers, Sept. 23 at 2, Court of Bankruptcy, London.—Robert Hardman Parkinson, Manchester, warehouseman, Sept. 20 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

John H. Musgrave, Eastcott-place, Ferdinand-st., Hampstead-road, Middlesex, embroiderer.—Wm. Ashdown, Chatham, Kent, ironmonger.—W. Garret, Newcastle-upon-Tyne, bookseller.—Thomas Long, Belgrave-street South, Fimbo, Middlesex, picture dealer.—John Belbin, Beaumont-street, St. Marylebone, Middlesex, coachmaker.—Gaskell Johnson, Liverpool, commission merchant.—Wm. Beaumont, Rotherham, Yorkshire, grocer.—James Pennock, York, farrier.—Maurice Jarvis, Leeds, Yorkshire, wool merchant.—Georg Wilson, Wakefield, Yorkshire, draper.

SCOTCH SEQUESTRATIONS.

Hugh Percy Forster, deceased, Glasgow, lieutenant in her Majesty's 63rd Regiment of Foot.—John Gibson, Esq., deceased, Edinburgh, solicitor at law.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Dinning, Bank Foot Farm, Bolam, Northumberland, out of business, Sept. 18 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—Joseph Singleton, Newcastle-upon-Tyne, maker of colliery grease, Sept. 18 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—John Calo, Newcastle-upon-Tyne, painter, Sept. 18 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—James Elliott, Newcastle-upon-Tyne, out of business, Sept. 18 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—R. Painter, Wantage, Berkshire, barber, Sept. 9 at 2, County Court of Berkshire, at Wantage.—John Thredwell, Sneads-green, Elmley Lovett, Worcestershire, sub-railway contractor, Sept. 17 at 10, County Court of Worcestershire, at Droitwich.—George Viney, Dymchurch, Kent, farmer, Sept. 20 at 10, County Court of Kent, at Dover.—John Burles, Milton-next-Gravesend, Kent, waterman, Sept. 1 at 10, County Court of Kent, at Gravesend.—John Rider, Bidford, Warwickshire, plumber, Sept. 12 at 2, County Court of Warwickshire, at Alcester.—Wm. Rowley, Abergavenny, Monmouthshire, butcher, Sept. 20 at 10, County Court of Monmouthshire, at Abergavenny.—Benjamin Briesden, Tunbridge Wells, Kent, dealer in furniture, Sept. 12 at 10, County Court of Kent, at Tunbridge Wells.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Wm. Postlethwaite, Sand Side, near Ulverstone, joiner, No. 72,462; Richard Pickthall, assignee.—Wm. Pothersill, Lancaster, patten maker, No. 72,684; Edward Welch, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Sept. 13 at 11.

Thomas Drummond, Birkenhead, near Liverpool, joiner.—John Whitlow, Manchester, laceman.—Christopher Derbrough, Cheetwood, Manchester, out of employment.—Benj. Carvosso, Seacombe, near Liverpool, out of business.—Peter Stephen Cropper, Manchester, out of business.—Wm. Titterton Brown, Manchester, commission agent.—Richard Baily, Lancaster, licensed victualler.—George Patchett, Manchester, agent to the National Loan Life Assurance Company.—John Webster, Manchester, general dealer.—Samuel Smith, Hulme, Manchester, out of business.—George Howorth, Edensfield, near Bury, out of business.—James Ogden, Manchester, cotton manufacturer.—James Hardy, Manchester, shoemaker.—Thos. Dod, Liverpool, out of business.

At the County Court of Lincolnshire, at LINCOLN, Sept. 16 at 10.

George Love, Spalding, tailor.—Bennet Thomasin, Waton, near Spalding, wheelwright.—Robert Peel, Kirstead, printer.—George Edwards Fountain, Sleaford, grocer.

At the County Court of Warwickshire, at WARWICK, Sept. 13.

George James Bottley, Birmingham, out of business.

*At the County Court of Staffordshire, at STAFFORD,
Sept. 16 at 10.*

*Samuel Price the elder, Kingswinford, charter master.—
James Mather, Alton, in no business.*

*At the County Court of Somersetshire, at TAUNTON,
Sept. 17 at 10.*

Henry Neathway, Weston-super-Mare, tailor.

At the County Court of Berkshire, at READING, Sept. 13.

John Winch, Hurst, farmer.

INSOLVENT DEBTOR'S DIVIDEND.

*John Llewellyn, Bristol, solicitor, Crosby's, Bristol: 20s.
in the pound.*

MEETING.

*Wm. Tomkyns Briggs, Reading, Berkshire, clerk in holy
orders, Sept. 19 at 12, Marter's, 5, Furnival's-inn, London,
sp. aff.*

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LONDON, SEPTEMBER 7, 1850.

WE return to the question of the separation of the judicial from the political functions of the Lord Chancellor—a question on which it will be well that the Profession should reflect between this and the next session of Parliament, as it will in all probability be then brought forward.

The plan of separation which it is said is likely to find most favour with public men is Lord Cottenham's; and Lord Cottenham's plan, as detailed in his bill of April, 1836, was in substance simply this—to leave the office of Lord Chancellor subsisting, but to appoint a permanent Lord Chief Justice of the Court of Chancery, and thenceforth to withdraw from the Lord Chancellor all jurisdiction in that court; to leave to the Lord Chancellor the judicial duty of sitting in the House of Lords on appeals, and to add to his judicial duties that of presiding in the Judicial Committee of the Privy Council; and provision was of course to be made for separating the processes under the Court of Chancery from those under the Great Seal, and for apportioning between the Lord Chancellor and the Lord Chief Justice in Chancery the official staff &c. attached to the Chancellor's office.

Of this plan, we can only say that it appears to us about the worst mode of carrying into effect a pernicious object that has been proposed; and we may say this without any great charge of presumption, because, although Lord Cottenham's reputation as a judge is beyond all question, and consequently his opinion on any matter purely judicial is of the greatest weight, he never distinguished himself by any manifestation of great administrative or political ability; and the ques-

tion under consideration policy.

The objection to Lord Cottenham's plan is a true juste mille Chancellor who will be Judge in Equity who neither office will be of men of the very highest probability, fall, if not in supremacy as to render value for the public service.

The office of Chief Justice is distinct from that of Lord Chancellor to be a very unnecessary

It must not be forgotten that the Chief Justice is a judge of appeal, a judge of co-ordinate jurisdiction with the Lord of the Rolls and the Vice-Chancellor. As a judge of appeal, he is of any public value, to be the man of the greatest power, not merely by power, not merely by the mental accomplishment, education and subsequent character—but all these, a large capacity, great force of character, and great physical strength, the services of the men superior to their brethren in all these qualities, to be at all regularly commensurate with the position as it will be at the office of Chief Justice in two thousands a year, more in advance in the tables of honor with men of that high and

business, which fit them to preside over and rule the judgments of others, themselves necessarily very able men. It is not a gentle, quiet, and abundantly-paid labour that attracts such men, but it is the stir and bustle of a life at once political and official; it is the accumulation upon them of a mass of business which none but a giant hand can grasp; it is the consciousness that they are called to do the work of giants, and that their doing so gives them a power among their fellow-citizens that no amount of mere salary or nominal rank could give; it is, we say, these things that do attract the sort of men out of which chiefs are to be made: and if the functions of the Chief Judge in Chancery are to be frittered down to those of a mere judge, however honourable that position is, it will not, we repeat, command the services of such men as the public ought to have.

So with regard to the office of the proposed Lord Chancellor; what will he be? He will be Speaker of the House of Lords—a position which, alone, however honourable, would be as much to the taste of any man of high capacity and great energy as the throne designed by Sieyès was to that of Napoleon. He will be a judge of the House of Lords, as the court of appellate jurisdiction—again a position of much honour, but of little business, and very divided responsibility. And even if to these functions be added (as is not likely) the presidency of the Judicial Committee of the Privy Council, the Lord Chancellor will still be but a very diminished luminary, and will be so far from being the first lay subject of the realm, in reality, that call him what we will—let him have what technical rights of precedence he may, his office will not have attached to it that amount of weighty business, that amount of substantial power and importance, which will attract men of the greatest capacity into or out of the ranks of the Bar.

Further: as a question almost of detail, it is very doubtful whether, on these terms, a Lord Chancellor will be at all obtainable, of sufficient *legal* pre-eminence for the duties of his office as judge in the House of Lords; because it is more than probable, that, under such new regulations, the offices of Chief Judge in Chancery and of Chief Judges in the other courts will be so much more attractive to good lawyers than that of Lord Chancellor, that the appeal from the Chief Judge in Chancery, or from the Court of Exchequer Chamber to the House of Lords, will be something like an appeal from a Vice-Chancellor to a Master in Chancery.

The whole scheme of dividing the office of Lord Chancellor is, in fact, we conceive, one great mistake. If it be not to the public interest to attract into the ranks of the Bar, out of which the administrators of justice to the people are to be selected, the best and most energetic heads that are to be found among the endowed and unendowed classes, then we admit that it may be wise to abolish the office of Lord Chancellor as a legal office of any kind, and to remodel altogether the appellate jurisdiction of the House of Lords. But if it be for the interest of the public that the Profession of the law should be so constituted as to be at this day what the Church was, the instrument by which the Crown may obtain, for the service of the State, that talent which Nature scatters among the obscure as well

as among the endowed classes, then we contend that a better scheme for obtaining such results, than to create a Lord Chancellor, if he did not already exist, could not be devised. In any view of the subject, the division of the office is, we conceive, a political mistake of the greatest obtuseness. The office should be wholly destroyed, or left wholly subsisting.

GENERAL PRINCIPLES AND CONDITIONS UPON WHICH CHARTERS OF INCORPORATION AND LETTERS-PATENT, UNDER 1 VICT. c. 73, ARE GRANTED.

As the very extensive, and in some cases surprising, ignorance which prevailed for some time after the passing of the Joint-stock Companies Registration Act, as to the effect of complete registration to limit the liability of the shareholders, has been dispelled by a somewhat dear-bought experience, and as the results of the late decisions will, as Creswell, J., observed, make such companies rather worse than better off than they were before, a desire thus arises among the promoters of such undertakings to obtain the degree of limited liability and other advantages which are secured to joint-stock companies incorporated by royal charter, or privileged by letters-patent, under the stat. 7 Will. 4 & 1 Vict. c. 73. It may therefore be useful to give a short statement of the course to be pursued for obtaining a charter of incorporation or letters-patent, and of the general principles and conditions upon which the privileges and advantages conferred by the same are granted.

In the first place, then, the objects contemplated must be, first, of great public utility; and, secondly, either too large for individual enterprise, or too hazardous for individual enterprise without limited liability.

It is declared by the 4th section of the stat. 1 Vict. c. 73, that the letters-patent may provide that the members of the company shall be individually liable for the engagements of the company, to such extent only per share as shall be limited by such letters-patent. We believe it is not unusual to place the limit at double the amount of the capital proposed to be subscribed.

The Joint-stock Companies Registration Act, 7 & 8 Vict. c. 110, applies, as to provisional registration, to companies to be privileged by letters-patent, or incorporated by royal charter. (7 & 8 Vict. c. 110, ss. 23, 58). It will therefore be necessary for the promoters of those companies to comply with the general directions for obtaining provisional registration.

After obtaining a certificate of provisional registration, the first step to be taken by the promoters of these companies is a petition to the Queen in Council. The statements in the petition are not of importance. A simple reference to the charter prepared by the petitioner's solicitor, and sent at the same time, would probably be sufficient. It is in every case, however, desirable to have a previous communication, made personally or by letter, in the ordinary way, to the departments of the State affected; as, in colonial matters, to the Colonial office, and in the case of a trading company, to the Board of Trade. Whenever such application shall have been made, and referred by her Majesty to the Board of Trade, or the Colonial or other office, as the case may be, then, before any report shall be made to her Majesty, and before any such letters-patent or charter shall be granted, notice of such application shall be inserted, by the parties applying, three several times in the London Gazette, and in one or more of the newspapers circulating within the country or place in which it is proposed that the principal place

of business of the company shall be established, at intervals of not less than one week. (1 Vict. c. 73, s. 32).

The minutes of evidence before the Select Committee of the House of Commons on Investments for the Savings of the Middle and Working Classes contain some valuable information as to the expense and difficulty of getting a charter. The following is an extract from Mr. J. M. Ludlow's evidence on this subject:—

"42. You are aware that it is difficult to obtain a charter?—It is very difficult and expensive. There is some regulation which states, that, after the first three names, you have to pay a certain sum for every other name. That is one of the great burthens.

"43. Is it within your knowledge that there was a plan for making a model lodging-house in this metropolis, which was to be made in the best way, was intended to pay a moderate interest, and for which purpose a number of gentlemen joined together, and that it was impeded until they could get a charter of limited responsibility?—I am quite aware of that, and also that the expense of those charters was something enormous, 800*l.* or 900*l.*

"44. They were delayed for a considerable time, and at last a great expense was incurred, was there not?—Yes."

Mr. Edward Vansittart Neale produced to the committee an accurate copy of the expenses of various kinds incurred in obtaining a charter.

"386. *Chairman.*—Do you produce a return of the cost that it is necessary to incur in obtaining a charter?—Yes.

"390. Is that an accurate copy of the expenses of various kinds incurred in procuring a charter to limit the liability of the members of the Metropolitan Association?—Yes; I was with Mr. Gatliff, and compared it with the entries in the books.

"[The same was handed in, and is as follows:—]

"*Memorandum of Fees and Stamps on passing under the Great Seal a Charter for the Metropolitan Association for Improving the Dwellings of the Industrious Classes:*—

Secretary of State's office.....	£194	4	6
Attorney-General's office.....	128	14	0
Ditto clerk, for expenses.....	7	5	2
Signet office.....	166	0	6
Privy Seal office.....	164	15	6
Patent office.....	277	11	0
	£724	10	8
Bellenden & Co.	29	19	6
Law charges.....	250	0	0
	£1094	10	2
Received on account.....	£760	0	0
Fees, &c., as above.....	724	10	8
Balance.....	£25	9	4
Law charges.....	£280	0	0
Paid Mr. Gatliff.....	100	0	0
Seals engraving ..	5	5	0
Plans.....	21	0	0
Engraving cheques.....	8	12	6
Mr. Ker.....	29	19	6
Home office.....	724	10	8
	£1139	7	8

"391. The cost of obtaining a charter for the purpose of this Metropolitan Association for assisting the poor upon a system of limited liabilities appears to

have been upwards of 1000*l.*?—Yes, including the law charges of 724*l.* 10*s.* 8*d.* in pure fees to the Crown officers."

These expenses and difficulties have led many persons to consider the limited liability which is conferred by an act of incorporation or royal charter as an aristocratic privilege. Thus, Mr. Joseph Millbank, a witness examined by the Select Committee, says, "When masters associate, they associate with limited liability, by obtaining an act of incorporation—a thing too expensive for working men."

Mr. H. Bellenden Ker, in the course of his examination, made the following important statement:—"I think that where a business or an undertaking of any kind is such that it either requires a very large capital, or the undertaking is hazardous, and therefore persons are unwilling to invest their capital in the undertaking, or where the business is such that it is managed by directors, there, if the object be reasonable and fair, I think limited liability should be allowed. Hitherto, in this country, owing to the expense of charters, and owing to the expense of acts of Parliament, this limited liability has become a sort of aristocratic privilege, and only conferred upon those to whom 500*l.* or 1000*l.* is of no importance, they having a very large capital; and I am certain that the privilege of limited liability might be extended with very great advantage to much smaller companies and much smaller undertakings than those to which such charters or acts of Parliament are granted. I will mention a case that is now before me. Some merchants gave the Government a large sum of money for a portion of the Falkland Islands, and the right to the cattle there; they paid 10,000*l.* down, and they are to pay 20,000*l.* more in a short time. They found that it would be convenient to them if they could get 100,000*l.* more capital to lay out in that concern. They consulted me as the adviser of the Board of Trade, and I said, that although the Board usually will not grant a charter where the capital is small, yet, if it finds persons willing to lay out 100,000*l.* in the Falkland Islands, I should think that there could not be a doubt about its being granted. If they had gone there with a million capital, with fair names for directors, there could be no doubt about the grant being made; but in the case of the smaller capital, the charter was refused. I certainly think there is great injustice done, because I believe if the test, as I said before, is not an ordinary partnership, but a partnership either hazardous in its business, or such as a railway, or a bridge, or a road, that can be easily managed by directors, there I think the privilege ought to be given at a much less expense, and not as a matter of favour, as it is now; of course there being a forum to judge of the expediency and safety of the undertaking, and also of course there being provisions, very similar to those provisions which are now contained in acts of Parliament for railroads and other bills, to prevent fraud and mismanagement."

And Mr. J. M. Ludlow's evidence is very much to the same effect. Mr. Ludlow says—"I will mention one fact, which shews that unlimited liability is not a pledge of that security and caution which it has very often been assumed to be. Almost always, whenever any very high people think of entering into a company, they go at once to the Board of Trade for a charter, or to the House of Commons for an act of incorporation; and that shews that they consider it safer to trade under a limited liability than under an unlimited liability; and what is more, if sufficiently solvent and powerful, their charter is mostly granted to them." And he adds, in answer to a question immediately afterwards—"I may say, that whenever anybody has come to advise with me on the propriety of embarking in a joint-stock company with unlimited liability, my advice has always been, do not meddle with it in the least."

Mr. Ludlow's evidence, too, is particularly valuable on the subject of partnership *en commandite*. He says—"I think the form of limited partnership, which is called the *commandite*, where a few partners are liable without limit, and the liability of the rest is limited to their subscriptions, has some advantages. But I think, with reference to any numerous partnership, it is exceedingly dangerous, and that there you want *absolutely* limited liability. The result in France, as I understand—and I have resided many years in that country—has been, as respects all joint-stock companies *en commandite*, i. e. where the capital is divided into shares, that the acting members are usually men of straw, and they are the only ones who can be found to take upon themselves the responsibility of a concern of several hundred thousand francs, which is almost the same as so many pounds in this country. It will be observed here, that I attribute the evil, not to the amount of limited liability brought into a firm or partnership, but, on the contrary, to the amount of unlimited liability which is left; and that particular clause which has been referred to, which prohibits any member trading under limited liability from taking the least share in the affairs of a concern, has been productive of very great evil in France. There is the celebrated case of Marshal Macdonald, I believe, who had to pay 1,200,000 francs for merely signing a letter; it was decided that it was an act of management, and it made him liable without limit."

And again:—

"119. *Chairman*.—You have stated, have you not, that this law of limited liability prevails in France, Holland, Belgium, Prussia, Italy, Spain, and America?—Yes.

"120. Are you aware of any complaints having been made of evils arising from it in those countries?—I am aware of many complaints having arisen as respects the form of *commandite*, where partners of unlimited liability are retained, so that, where the engagements of the company are large, they put a man of straw at the head.

"121. That is with respect to the unlimited portion, and not the limited portion, is it not?—Yes.

"122. Are you of opinion, with the experience that we have of the working of this law in other countries, and with the views we now entertain with respect to the necessity of caution, that a law might be framed in this country admitting of limited liability, and yet which would eschew and avoid some of the difficulties that have been met with in other countries?—I should not see any difficulty in framing such a law. It might be made very simple indeed, providing, in the first place, for complete notice to the public by the addition to the name or style of the partnership, of the words, "with limited liability," so that it could not be treated with otherwise under any pretence; by the registration of the original capital, and of any additional issue of capital, and by the registration of all transfers of shares, until they were fully paid up; and by the publication or registration of yearly or half-yearly balance-sheets."

London Gazette.

TUESDAY, SEPTEMBER 3.

BANKRUPTS.

ALFRED CRANSTON, Wimborne Minster, Dorsetshire, cabinet maker, Sept. 13 at 1, and Oct. 18 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Taylor, 15, South-street, Finsbury-square.—Petition dated Aug. 23.

JAMES PRIESTLEY, Radcliffe, Lancashire, cotton spinner and cotton manufacturer, dealer and chapman, Sept. 16 and Oct. 8 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Whitehead, Bury.—Petition dated Aug. 24.

GEORGE NORTON, Codford Saint Mary, Wiltshire, plumber and glazier, dealer and chapman, Sept. 13 at half-past 12, and Oct. 18 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Chitty, Shaftesbury; Venning & Co., 9, Tokenhouse-yard, Lothbury.—Petition dated Aug. 28.

STEPHEN CHARLES LAKEMAN, St. Mildred's-court, London, commission agent, dealer and chapman, Sept. 10 at 2, and Oct. 18 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Patteson, 7, Lincoln's-inn-fields.—Petition filed Aug. 27.

MEETING.

Theodore De Rumigny, St. Mildred's-court, London, commission agent, Sept. 10 at 2, Court of Bankruptcy, London, last ex.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Barker, Manchester and Salford, Lancashire, victualler, Sept. 26 at 11, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Henry Brading, Shepherdess-walk, City-road, Middlesex, licensed victualler.—*John Whittingham*, Liverpool, provision broker.—*Walter James*, Beaufort, Llangattock, Brecknockshire, provision dealer.—*Joseph Asford*, Stroud, Gloucestershire, mealman.—*John White*, Dudley, Worcestershire, ink-keeper.—*Bryan Ramsden*, Dewsbury, Yorkshire, bone merchant.—*John Simpson*, Tadcaster, Yorkshire, out of business.

PARTNERSHIPS DISSOLVED.

Samuel Golding and John Wardale King, Walsingham, Suffolk, attorneys and solicitors.—*Thos. Thurston and Wm. Liddle*, Newport, Shropshire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

William Paterson, Milngavie, victualler.—*James Riddell*, Aberdeen, cabinet maker.—*Thomas Cuthbertson*, Glasgow, banker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Slingsby, Lincoln, builder, Sept. 16 at 10, County Court of Lincolnshire, at Lincoln.—*Wm. Stokes*, Leamington-priors, Warwickshire, baker, Sept. 13 at 2, County Court of Warwickshire, at Warwick.—*Thomas Wise*, Richmond, Yorkshire, shoemaker, Sept. 17 at 10, County Court of Yorkshire, at Richmond.—*John Hodgson*, Middleton Tye, Yorkshire, labourer, Sept. 17 at 10, County Court of Yorkshire, at Richmond.—*William Priestley*, Lincoln, out of employment, Sept. 16 at 10, County Court of Lincolnshire, at Lincoln.—*Jonathan Harry Judd*, Southampton, draper's shopman, Sept. 19 at 10, County Court of Hampshire, at Southampton.—*T. Palmer Jones*, Bristol, coal merchant, Oct. 30 at 11, County Court of Gloucestershire, at Bristol.—*John Roberts*, Bristol, corn dealer, Oct. 23 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Carter*, Bristol, butcher, Oct. 2 at 11, County Court of Gloucestershire, at Bristol.—*George Ogborne*, Henbury, Gloucestershire, butcher, Oct. 23 at 11, County Court of Gloucestershire, at Bristol.—*Robert Call*, Bristol, lodging-house keeper, Sept. 25 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Thomas*, Coventry, Warwickshire, tailor, Sept. 18 at 10, County Court of Warwickshire, at Coventry.—*John C. Hawes*, Brandon, Warwickshire, licensed victualler, Sept. 18 at 10, County Court of Warwickshire, at Coventry.—*Joseph Pollard*, Bingley, Yorkshire, out of business, Sept. 25 at 11, County Court of Yorkshire, at Keighley.—*Thomas Cooper*, Coventry, Warwickshire, licensed victualler, Sept. 18 at 10, County Court of Warwickshire, at Coventry.—*Thomas Squire Horton*, Coventry, Warwickshire, auctioneer, Sept. 18 at 10, County Court of Warwickshire, at Coventry.

Saturday, Aug. 31.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Jacob Wilkins, Wimborne Minster, Dorsetshire, dairyman. No. 72,552 C.; *Samuel Provis and James Horder*, assignees.

—*John Brown*, Manchester, agent for the sale of wines and spirits, No. 72,611 C.; *John Harris*, assignee.—*Louie Von Carnesalli*, Great Grimsby, Lincolnshire, commission agent, No. 72,659 C.; *J. S. Walker*, assignee.—*Matthew Robson*, Newcastle-upon-Tyne, innkeeper, No. 72,657 C.; *William Southern*, George Jefferys, and *Robt. Jameson*, assignees.

Saturday, Aug. 31.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—
(On their own Petitions).

John Goodall, Milton-street, Dorset-square, Middlesex, in no business: in the Queen's Prison.—*Alfred Kortright*, Wilson-street, Limehouse, Middlesex, lieutenant in her Majesty's Navy: in the Queen's Prison.—*Richard Grove Erlam*, Westbourne-park-villas, Paddington, Middlesex, secretary to the London and Suburban Bank: in the Queen's Prison.—*James Mortimer Howe*, Merton, Surrey, omnibus proprietor: in the Queen's Prison.—*Wm. Morson*, Angel-terrace, Paradise-row, Clapham-road, Surrey, batter's clerk: in the Gaol of Surrey.—*Elias Eastway*, Old Dorset-place, Clapham-road, Surrey, smith: in the Gaol of Surrey.—*Sarah Sutton*, Craven-street, Strand, Middlesex, hosier: in the Debtors Prison for London and Middlesex.—*Edmund Benj. C. Crook*, Thananth-street, Burton-crescent, Middlesex, grocer: in the Queen's Prison.—*William Shelton*, Tottenham-court-road, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*John Webster*, Manchester, assistant to a publican: in the Gaol of Lancaster.—*Richard Batty*, Lancaster, sheriff's officer: in the Gaol of Lancaster.—*W. T. Brown*, Longsight, near Manchester, commission agent: in the Gaol of Lancaster.—*James Howarth*, Huntley-brook, near Bury, Lancashire, druggist: in the Gaol of Lancaster.—*Geo. Dawes*, Lilleshall, Shropshire, farming bailiff: in the Gaol of Shrewsbury.—*Charles Simmons*, Awre, near Newnham, Gloucestershire, railway sub-contractor: in the Gaol of Gloucester.—*Francis Leedham*, Burton-upon-Trent, Staffordshire, auctioneer: in the Gaol of Stafford.—*Samuel Price* the elder, Brierly-hill, Kingswinford, Staffordshire, chartermaster: in the Gaol of Stafford.—*James Hardy*, Pendlebury, near Manchester, shoemaker: in the Gaol of Lancaster.—*Henry Ogden*, Pilkington, near Bury, Lancashire, out of business: in the Gaol of Lancaster.—*John Farrer*, Eccleshill, near Bradford, Yorkshire, out of business: in the Gaol of York.—*Henry Tugwood*, Briggate, Leeds, Yorkshire, trimming dealer: in the Gaol of York.—*Thomas Dunn*, Tavistock, Devonshire, coffee-house keeper: in the Gaol of St. Thomas the Apostle.—*J. Massey*, Plymouth, Devonshire, commission agent: in the Gaol of St. Thomas the Apostle.—*Robert George Summers*, Plymouth, Devonshire, painter: in the Gaol of St. Thomas the Apostle.—*John Golding*, Thetford, Norfolk, innkeeper: in the Gaol of Norwich.—*Thomas Dod*, Liverpool, ironmonger: in the Gaol of Lancaster.—*Wm. Ireland*, Bradninch, Devonshire, innkeeper: in the Gaol of St. Thomas the Apostle.—*Francis Maddock*, Hulme, Manchester, shoemaker: in the Gaol of Manchester.—*George M. Barnes*, Cambridge, out of business: in the Gaol of Cambridge.—*Wm. H. Hounsfeld*, Briggate, Leeds, Yorkshire, hosier: in the Gaol of York.—*Wm. Little*, Sapperton, Gloucestershire, farmer: in the Gaol of Gloucester.—*George Moulson*, Little Horton, near Bradford, Yorkshire, stonemason: in the Gaol of York.—*Jonathan Moulson*, Little Horton, near Bradford, Yorkshire, stonemason: in the Gaol of York.—*James Shields*, Birmingham, watchguard manufacturer: in the Gaol of Coventry.—*Paryem Weeks*, Plymouth, Devonshire, clog maker: in the Gaol of St. Thomas the Apostle.—*George Patchett*, Salford, Lancashire, agent to the National Loan Life Assurance Company: in the Gaol of Lancaster.—*Saml. Smith*, Hulme, Manchester, grocer: in the Gaol of Lancaster.—*John W. R. Carr*, Corbridge, Northumberland, mustard manufacturer: in the Gaol of Newcastle-upon-Tyne.—*Henry Moran*, Bury, Lancashire, licensed victualler: in the Gaol of Lancaster.—*John Milnes*, Northgate, Wakefield, Yorkshire, tallowchandler: in York Castle.—*H. F. Potter*, Manchester, agent to the Patent Alkali Company: in the Gaol of Lancaster.—*George Parris*, Chipping Ongar, Essex, innkeeper: in the Gaol of Springfield.—*Daniel Dyball*, Cambridge, fruiterer: in the Gaol of Cambridge.—*Wm. D. Fewster*, Theddingworth, near Market Harborough, Leicestershire, inspector upon the Rugby and Stamford Railway: in the Gaol of Leicester.—*George C. Pickles*, Briggate, Yorkshire, undertaker: in York Castle.—*William F. Coe*, Bourn,

near Caxton, Cambridgeshire, gentleman: in the Gaol of Cambridge.—*Wm. Crisfall*, New Romney, Kent, grocer: in Dover Castle.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 17 at 11, before the CHIEF COMMISSIONER.

John Wyburn Prior, Richmond-terrace, Richmond-road, Islington, Middlesex, out of business.—*Isaac Webster*, Jane-place, Old Kent-road, Surrey, foreman to a hop factor.—*D. Hartican*, Brompton-cottages, Church-road, Battersea, Surrey, proprietor of swings.—*Charles Paternoster*, Leather-lane, Holborn, Middlesex, licensed victualler.—*John Sanderson*, Blackfriars-road, Surrey, umbrella maker.

Sept. 17 at 11, before Mr. Commissioner HARRIS.

William George Bellard, Hillington-street, Newington-causeway, Surrey, out of business.—*William John Fowler*, Stepney-rents, Hackney-road, Middlesex, out of business.—*William Tomb*, Holborn-hill, City, coffee-house keeper.—*Charles Harvey Weigall*, Wimbledon-common, Surrey, artist.—*John Samuel Glover*, Mount-place, Peckham-rye, Surrey, grocer.

Sept. 18 at 10, before Mr. Commissioner LAW.

George Goodwin Turley, High-street, Whitechapel, Middlesex, no profession.—*Thos. Brown*, Edgeware-road, Marylebone, Middlesex, furnishing undertaker.—*John William Neale*, Dempsey-street, Stepney, Middlesex, dealer in steam-engines.—*William Bodley*, Howard-street, Nine-elms, Vauxhall, Surrey, carpenter.—*Charles John Allen*, Regent-street, Waterloo-place, Pall-mall, Middlesex, commission agent.

Sept. 18 at 11, before Mr. Commissioner PHILLIPS.

Joseph Billen, Hendon, Middlesex, cattle dealer.—*John Henry Caulfield*, Dean-street, Soho, Middlesex, picture dealer.—*Chas. Dell*, Marygold-street, Bermondsey, Surrey, plumber.—*John Isaacs*, Long-acre, Drury-lane, Middlesex, licensed victualler.—*Isaac Cowles*, College-hill, Upper Thames-street, City, dealer in beer.

Sept. 19 at 11, before the CHIEF COMMISSIONER.

Joseph Orbell, Sheldon-street, Westbourne-terrace, Paddington, Middlesex, out of business.

Sept. 19 at 11, before Mr. Commissioner HARRIS.

Wm. Cloake, Richmond, Surrey, omnibus driver.—*Samuel Jeffris Barth*, Upper Kennington-green, Kennington, Surrey, attorney-at-law.

Sept. 19 at 10, before Mr. Commissioner LAW.

Charles Southey, Hampstead, Middlesex, and Southampton-street, Camberwell, Surrey, out of business.—*Charles Robinson*, Bath-place, New-road, St. Pancras, Middlesex, locksmith.

Sept. 19 at 11, before Mr. Commissioner PHILLIPS.

Benjamin Oliver, Millman's-row, King's-road, Chelsea, Middlesex, out of business.—*James Langdon*, East-street, Manchester-square, Middlesex, brush manufacturer.

Sept. 19 at 11, before the CHIEF COMMISSIONER.

William Southgate, High-street, Camden-town, Middlesex, clerk to the clerk of the church trustees of the parish of St. Pancras.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at SOUTHAMPTON, Sept. 19.

William Henry Hall, Southampton, general merchant.

At the County Court of Shropshire, at SHREWSBURY, Sept. 17 at 10.

George Dawes, Lilleshall, farming bailiff.

At the County Court of Northumberland, at NEWCASTLE, Sept. 18 at 10.

John William Robert Carr, Corbridge, out of business.

At the County Court of Monmouthshire, at MONMOUTH, Oct. 11 at 2.

William Jordan, Garndiffaith, near Pontypool, shoemaker.

At the County Court of Warwickshire, at COVENTRY, Sept. 18.

William Nind, Birmingham, butcher.—James Shields, Birmingham, watch-guard manufacturer.—Robt. Melen, Redditch, confectioner.—James Hudson, Leamington, baker.—Benjamin Archer, Coventry, greaser.

FRIDAY, SEPTEMBER 6.

BANKRUPTS.

THOMAS BRADLEY, Ranelagh-road, Finsbury, Middlesex, lard refiner, dealer and chapman, Sept. 13 at half-past 1, and Oct. 18 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. C. & J. A. Morgan, 15, Old Jewry.—Petition dated Aug. 30.

GEORGE FRIEND, Kidderminster, Worcestershire, bookseller, stationer, printer, and bookbinder, Sept. 21 and Oct. 19 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Tador, Kidderminster.—Petition dated Sept. 4.

WILLIAM THOMAS, Southrop, Gloucestershire, baker and general shopkeeper, dealer and chapman, Sept. 19 and Oct. 17 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Aeraman; Sols. Stanley & Wasbrough, Bristol; Frankum, Abingdon, Berkshire.—Petition filed Aug. 26.

JOHN STORK, Kingston-upon-Hull, wine and spirit merchant, dealer and chapman, Sept. 25 and Oct. 16 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Phillips & Copeman, Hull.—Petition dated Aug. 26.

WILLIAM WARD, Liverpool, dining rooms and coffee-house keeper and victualler, dealer and chapman, Sept. 18 and Oct. 24 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Yates, jun., Liverpool.—Petition filed Sept. 3.

MEETINGS.

Thomas Wright, Derby, cheese factor, Oct. 18 at 10, District Court of Bankruptcy, Nottingham, last ex.—Thomas Dalton, Coventry, silk dyer, Nov. 5 at 12, District Court of Bankruptcy, Birmingham, last ex.—Thos. Dalton and Thos. Edwards, Birmingham, ironfounders, Sept. 26 at 12, District Court of Bankruptcy, Birmingham, last ex.—E. Stidworthy, Modbury, Devonshire, innkeeper, Sept. 25 at 1, District Court of Bankruptcy, Exeter, last ex.—Robert Campling, Norwich, haberdasher, Sept. 25 at 12, Court of Bankruptcy, London, and. ac.; Sept. 27 at 12, div.—James Woods, Conduit-st., Bond-st., Middlesex, tailor, Sept. 19 at 2, Court of Bankruptcy, London, and. ac.—Samuel Lock, Stoke D'Aunberton, Surrey, auctioneer, Sept. 20 at 12, Court of Bankruptcy, London, and. ac.—Rich. Heath, River Lea Foundry, Limehouse, and Three Colt-st., Limehouse, Middlesex, brass founder, Sept. 19 at half-past 11, Court of Bankruptcy, London, and. ac.—John Jackson, Mark-lane, London, eating-house keeper, Sept. 20 at 11, Court of Bankruptcy, London, and. ac.—Wm. Farr, Broadway, Blackfriars, London, beer-shop keeper, Sept. 20 at 11, Court of Bankruptcy, London, and. ac.—Edward D. Busker, Piccadilly, Middlesex, coach builder, Sept. 21 at 2, Court of Bankruptcy, London, and. ac.—James Urry, Portsea, Hampshire, brewer and beer retailer, Sept. 21 at 1, Court of Bankruptcy, London, and. ac.—George Healey Ward and Bailey Griffith, Bear-alley, Farningdon-street, London, printers, Sept. 21 at 12, Court of Bankruptcy, London, and. ac.—Benjamin Brunton Blackwell, Verulam-buildings, Gray's-inn, Middlesex, coffee-house keeper, Sept. 27 at 11, Court of Bankruptcy, London, and. ac.—William Ealey, Horspath, Oxfordshire, butcher, Sept. 26 at 12, Court of Bankruptcy, London, and. ac.—Daniel Prettyman and George Henry Hobson, Cornhill, London, ironmongers, Sept. 23 at 2, Court of Bankruptcy, London, and. ac.—John Ryan, Mark-lane, London, and Manor-lane, Bermondsey, Surrey, manufacturing chemist, Sept. 26 at 2, Court of Bankruptcy, London, and. ac.—Samuel Gillatt, Chapel-street, Grosvenor-square, Middlesex, builder, Sept. 27 at 12, Court of Bankruptcy, London, and. ac.—John Barnard, Stanford Rivers, Essex, baker, Sept. 28 at 11, Court of Bankruptcy, London, and. ac.—Henry Williams and James Welch,

Great Distaff-lane, London, and Mile-end, Middlesex, builders, Sept. 28 at 12, Court of Bankruptcy, London, and. ac.—Joseph Axford, Stroud, Gloucestershire, mealman, Oct. 4 at 11, District Court of Bankruptcy, Bristol, and. ac.—Alexander Duranty, Liverpool, merchant, Sept. 17 at 11, District Court of Bankruptcy, Liverpool, and. ac.; Sept. 30 at 11, div.—Richard Abram, Liverpool, wine merchant, Sept. 16 at 11, District Court of Bankruptcy, Liverpool, and. ac.—Benjamin Brown, Newtown, Montgomeryshire, coach builder, Sept. 18 at 11, District Court of Bankruptcy, Liverpool, and. ac.—John Jaffa and Joseph Willis, Liverpool, tailors, Sept. 17 at 11, District Court of Bankruptcy, Liverpool, and. ac.; Sept. 30 at 11, div.—William Guy Taylor and Elizabeth Guy, Liverpool, hosiers, Sept. 17 at 11, District Court of Bankruptcy, Liverpool, and. ac.—Elizabeth Hart and Martin Hart, Northwich, Cheshire, drapers, Sept. 17 at 11, District Court of Bankruptcy, Liverpool, and. ac.; Oct. 1 at 11, div.—John Wareing, Liverpool, draper, Sept. 18 at 11, District Court of Bankruptcy, Liverpool, and. ac.; Oct. 1 at 11, div.—Alexander Brown and William Todd, Liverpool, merchants, Sept. 18 at 11, District Court of Bankruptcy, Liverpool, and. ac.—William Edmund Smith, Plymouth, Devonshire, shipwright, Oct. 3 at 11, District Court of Bankruptcy, Exeter, and. ac. and div.—Geo. Alex. Von Dommer, Newcastle-upon-Tyne, merchant, Oct. 3 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—George Hornsby and Robert Porter Mould, Newcastle-upon-Tyne, builders, Oct. 8 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—Geo. Jameson, Newcastle-upon-Tyne, mercer, Oct. 8 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Oct. 10 at 11, fin. div.—John Edward Tol Anster, Darlington, Durham, bookseller, Oct. 3 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Oct. 4 at half-past 1, fin. div.—John Hardinge Veitch, Durham, printer, Oct. 8 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—Thomas Cooper the elder, Wolverhampton, Staffordshire, locksmith, Oct. 3 at 12, District Court of Bankruptcy, Birmingham, and. ac.—Dirk Horatio Haley, Lodge-road, near Birmingham, ironfounder, Sept. 28 at 12, District Court of Bankruptcy, Birmingham, and. ac.—Richard Fennings, Chancery-lane, Middlesex, law stationer, Sept. 27 at 1, Court of Bankruptcy, London, div.—John Geale, New Burlington-mews, Regent-street, Middlesex, jobmaster, Sept. 27 at half-past 1, Court of Bankruptcy, London, div.—Jabez Hunt, Bath, Somersetshire, victualler, Oct. 11 at 12, District Court of Bankruptcy, Bristol, div.—Anthony Guy, Chippenham, Wiltshire, money scrivener, Oct. 9 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary or before the Day of Meeting.

Wm. Haslam, Hertford, chemist, Sept. 28 at half-past 11, Court of Bankruptcy, London.—James Welch, Westbury, Wiltshire, innkeeper, Sept. 27 at half-past 1, Court of Bankruptcy, London.—Robert Campling, Norwich, haberdasher, Sept. 27 at 12, Court of Bankruptcy, London.—Harry Thurston, Cheltenham, Gloucestershire, innkeeper, Oct. 16 at 11, District Court of Bankruptcy, Bristol.—Thomas Bailey, Gloucester, saddler, Oct. 16 at 11, District Court of Bankruptcy, Bristol.—George Hornsby and Robert Porter Mould, Newcastle-upon-Tyne, builders, Oct. 8 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—John Hardinge Veitch, Durham, printer, Oct. 8 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—George Alex. Von Dommer, Newcastle-upon-Tyne, merchant, Oct. 3 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—Dirk Horatio Haley, Lodge-road, near Birmingham, ironfounder, Oct. 3 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

George Hammond, Milton-next-Gravesend, Kent, and Millwall, Poplar, Middlesex, wharfinger.—Jonathan Payne, Milton-st., Dorset-square, Middlesex, livery-stable keeper.—John Perko, Cross-st., Islington, Middlesex, furrier.—Wm. Rogers, John-street, Edgeware-road, Middlesex, licensed victualler.—Charles Hodge, Plymouth, Devonshire, draper.—Nicholas Mould, Woolwich, Kent, licensed victualler.

SCOTCH SEQUESTRATIONS.

Wm. Moncur, Kettle-bridge, Fifeshire, merchant.—Daniel

M^r Queen Moore, Birneyknowes, Haddingtonshire, farmer.—*Charles Manson & Co.*, Perth, drapers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Walton Ward, Sudborne, Suffolk, innkeeper, Sept. 19 at 1, County Court of Suffolk, at Woodbridge.—*J. Rowbury*, Pontypool, Monmouthshire, coach proprietor, Sept. 24 at 10, County Court of Monmouthshire, at Pontypool.—*Richard Pook*, Cadbury, Devonshire, innkeeper, Sept. 19 at 10, County Court of Devonshire, at Tiverton.—*Robert Orrose*, Norwich, publican, Sept. 23 at 10, County Court of Norfolk, at Norwich.—*George Sturdy*, Helmsley, Yorkshire, ironmonger, Sept. 24 at 11, County Court of Yorkshire, at Helmsley.—*John Simpson*, Oswald-kirk, Yorkshire, carpenter, Sept. 24 at 11, County Court of Yorkshire, at Helmsley.—*David Richards*, Cardiff, Glamorganshire, cordwainer, Sept. 18 at 10, County Court of Glamorganshire, at Cardiff.—*Thomas Richardson*, Witham, Kingston-upon-Hull, wheelwright, Sept. 28 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Jonathan Aston*, Much Wenlock, Shropshire, farmer, Sept. 14 at 10, County Court of Shropshire, at Madeley.—*Henry Rose*, Sturminster Newton, Dorsetshire, cabinet maker, Sept. 26 at 12, County Court of Dorset, at Shaftesbury.—*W. Thomas*, Swansea, Glamorganshire, weaver, Sept. 23 at 10, County Court of Glamorganshire, at Swansea.—*Thos. Berry*, Aylesbury, Buckinghamshire, cabinet maker, upholsterer, and paperhanger, Sept. 26 at 10, County Court of Buckinghamshire, at Aylesbury.—*Wm. Fletcher*, Donnington-on-the-Bane, near Louth, Lincolnshire, cordwainer, Sept. 24 at 9, County Court of Lincolnshire, at Louth.—*James Staves*, Kingston-upon-Hull, shoemaker, Sept. 28 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Robert Robson*, Kingston-upon-Hull, out of business, Sept. 28 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Joseph Watlesworth*, Whitehaven, Cumberland, draper, Sept. 30 at 11, County Court of Cumberland, at Whitehaven.—*James Ellis*, Watledge, Minchinhampton, Gloucestershire, confectioner, Sept. 18 at 10, County Court of Gloucestershire, at Stroud.—*Thomas Kennedy*, North Shields, Tynemouth, Northumberland, draper, Sept. 19 at half-past 10, County Court of Northumberland, at North Shields.—*Wm. Foster*, North Shields, Northumberland, grocer, Sept. 19 at half-past 10, County Court of Northumberland, at North Shields.—*John Williams*, Fishguard, Pembrokehire, ropemaker, Sept. 19 at 11, County Court of Pembrokehire, at Fishguard.—*B. Richards*, Bishopool, Christchurch, Monmouthshire, sailmaker, Sept. 17 at 10, County Court of Monmouthshire, at Newport.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 23 at 11, before the CHIEF COMMISSIONER.

G. Burtchall, Edward-street, Hampstead-road, Middlesex, in no profession.—*Daniel Rogers*, Bethnal-green-road, Middlesex, lath render.—*Edward Cook*, High-st., Borough, Surrey, out of business.—*Edward Maynard*, Hayes, Middlesex, out of business.—*David Jones*, Newman-terrace, Wandsworth-road, Surrey, clerk in the office of the Poor-law Commissioners, Somerset-house, Strand, Middlesex.

Sept. 23 at 11, before Mr. Commissioner HARRIS.

H. E. Suckling, Middleton-terrace, Queen's-road, Dalston, Middlesex, in no trade.—*James T. Jackson*, Piccadilly, Middlesex, hotel keeper.—*James Butler*, Praed-street, Paddington, Middlesex, architect.—*John Firman*, High-street, Whitechapel, Middlesex, retailer of beer.—*A. Blazdell*, Whiting's-terrace, Whitehead's-grove, Brompton, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at DOVER, Sept. 20 at 10.

Wm. Crittall, New Romney, grocer.

At the County Court of Carmarthenshire, at CARMARTHEN, Sept. 24 at 2.

Thomas Davies, Llanelly, miller.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Sept. 23 at 10.

John Gidding, Thetford, innkeeper.

At the County Court of Cambridgeshire, at CAMBRIDGE, Sept. 24 at 10.

George Martin Barnes, Cambridge, out of business.—*Wm. F. Coe*, Bourn, near Caxton, gentleman.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, Sept. 28 at 10.

Wm. Dunnett, Kingston-upon-Hull, accountant's clerk.—*Ralph M. Parbin*, Kingston-upon-Hull, sloop owner.

INSOLVENT DEBTORS' DIVIDENDS.

Edw. H. Mortimer the younger, lieutenant in the Army, at Bridges', Bristol: 7s. in the pound.—*John Leigh*, Liverpool, harness maker, at Atkinson's, Liverpool: 1s. 11½d. in the pound.

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Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Crown Cases Reserved..	{ ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, SEPTEMBER 14, 1850.

THE New Orders in Chancery have had now a trial of nearly three months, and though that time has not been long enough to test their ultimate operation, it has been long enough to shew, first, that they are in principle very valuable; and, secondly, that in detail they are very incomplete. It has become sufficiently apparent, that, for all suits in equity where discovery is not required from the defendant, the old bill and answer are doomed, and will not much longer be seen on the records of the Court of Chancery; but it is not yet apparent whether they are not equally doomed in all cases; nor is it yet apparent how the New Orders can be worked in complicated cases, nor to what extent they will require additions and alterations. It is, however, certain that much will be required to be done to them before they can at all completely be adapted to effectuate the new system of pleading, of which they are the germ. On some points, on which it might have been expected that the New Orders would be particularly explicit, they are studiously obscure; and hence much effort has been made by the Profession to avoid tempting adverse decision, and much effort by the Bench to avoid expressing an opinion upon any point not absolutely requiring decision; so that, in the result, many things, to which possibly the New Orders were intended to apply, have not been attempted under them.

At the first start of the New Orders, the difficulty arose, whether or not a prayer for an injunction in a claim, can be maintained. The arguments which have suggested themselves on this subject to our minds, and to those of many other equity lawyers, are before our readers in antecedent numbers of this Journal, and we

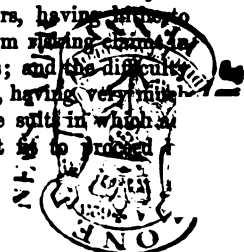
VOL. XIV.

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are not going to repeat them. Shortly before the vacation, a special claim, praying an injunction against executors, was allowed to be filed by the Master of the Rolls, but with an express disclaimer of any opinion whether it could or could not be sustained. (*Gordon v. Gordon*, 7th August, 1850). Whether any order has since been made upon it, we have been unable to ascertain. The point is very important, and ought to be dealt with explicitly, by the addition of an order expressly permitting, or expressly forbidding, the granting injunctions upon claims. So, with regard to the granting of a receiver, the Orders are silent, and great conflict of opinion exists in the Profession. Orders have been made by consent for receivers; but we believe no such order, as an hostile order, has yet been made.

Again, with regard to the evidence requisite to sustain a claim, the Orders are silent; and if the case is, that the defendant does not appear to shew cause, the practice of different branches of the Court has been different: one branch requiring an affidavit in support of the plaintiff's claim to entitle him to *any* decree; another branch not requiring such affidavit for a decree to account. On this question, also, the Orders require to be rendered more explicit, and a very few words would suffice to make them so.

As to what may and will be done under the 13th Order, in a hostile suit, or whether the Orders are intended at all for really hostile suits, there is yet no experience—the general feeling of the uncertainty of the construction of the New Orders, having tended to very much dissuaded draftsmen from ~~raising claims in~~ really hostile and complicated cases; and the difficulty of seeing how precisely to proceed, having very much checked the progress of even those suits in which adventurous draftsmen have thought ~~to proceed~~



claim; so that how claims will be workable after issue is joined, if there be anything more than an account to be taken, is yet to be found out. Whether, for instance, if a plaintiff wishes discovery, and were to file a claim, stating such facts as would entitle him to interrogate if it were a bill, he will be able, under the 13th Order, to obtain leave to exhibit interrogatories for the examination of the defendant, has not been decided. No one has yet, we believe, ventured to try the experiment; and the language of the 13th Order in particular, and of the whole of the Orders in general, is certainly very far from being so precise as to shew to what extent bills seeking discovery may be, in practice, discarded. It was quite clear to all those who attended the Court of Chancery on the days when claim business was disposed of, that the late Vice-Chancellor of England conceived the Orders to be limited in their operation to simple cases, if not, indeed, to purely administrative suits. It was equally clear that Vice-Chancellor Knight Bruce entertained, and to a great extent acted upon, a very different opinion; and with that great difference of opinion subsisting between two experienced judges, it may well be permitted to draftsmen to doubt and hesitate. But, as one intention of the New Orders was, at any rate, to make Chancery proceedings shorter, and quicker, and more clear, the Orders ought not to remain in a state in which counsel cannot apply them to any but the commonest cases, without making experiments, which, even under the new system, must be still very expensive to their clients.

What is requisite is, that the New Orders should be carefully reviewed by persons of experience, with a view to complete them. They are at present a very good skeleton, but only a skeleton. Enough has been done under them to see to what they may be made applicable; and until they clearly define, not only what may be done under them, but how it is to be done, they will be but of very moderate use as engines of Chancery reform.

SURRENDER BY OPERATION OF LAW— DEMISE TO A STRANGER.

THE question whether a demise of land, which is in tenancy by the reversioner, to a stranger, with the consent of the lessee in possession, amounts to a surrender by operation of law, has been much discussed. (See *Lyon v. Reed*, 13 M. & W. 285; *Nichols v. Atherstone*, 10 Q. B. 944; 2 Smith's L. C. 459, 3rd ed.) But there is only one case in which the point appears to have actually arisen, and there it was decided that there was no surrender. (*Lyon v. Reed*, 13 M. & W. 285). There are, however, several authorities which were disapproved of in *Lyon v. Reed*, and which have been supposed to be inconsistent with that case. In *Stone v. Whiting*, (2 Stark. 235), Holroyd, J., was of opinion that it was a good defence to an action of assumpsit for rent, that the landlord had agreed to accept as his tenant a stranger, to whom the defendant had given up possession. And the same point was decided in *Thomas v. Cooke*, (2 Stark. 408; 2 B. & Al. 119), where, however, Bayley, J., appears to have also viewed the case in the light of an acceptance of the stranger by the lessor as assignee of the old term, which would put an end to the liability of the original lessee in assumpsit for use and occupation, without any surrender in fact or in law. But

that view seems to be untenable, because there could be no assignment without writing, and the landlord's acceptance of the new tenant was no estoppel as between him and the old one. *Thomas v. Cooke* was followed in *Bees v. Williams*, (2 C. M. & R. 581); *Walker v. Richardson*, (2 M. & W. 882); and *Nichols v. Atherstone*, (10 Q. B. 944). In *Walker v. Richardson* the subject of the demise was the port of Stockton, and the tolls payable by vessels loading and unloading there; and it was held, in an action for tolls by the new lessee against a shipowner, that the production of the old lease from the lessor's custody, cancelled, and the plaintiff's enjoyment under the new lease, afforded an inference of assent by the old tenant to the new lease, from which a surrender in law might be presumed. In all these cases the tenant had not only agreed to the demise, but had also given up possession—a fact which completely distinguished them from the case now under consideration. (See *Dodd v. Acklam*, 7 Scott's N. R. 418; 6 Man. & G. 672; *Cannan v. Hartley*, 14 Jur., part 1, p. 577). In *Lyon v. Reed* (13 M. & W. 285) a lease had been granted by the Dean of St. Paul's to Ord and Planta, who were trustees for other persons. They underleased to the defendant, and afterwards assigned their reversion to Barber and Parry, who had been appointed trustees in their room. The cestui que trust having applied for a renewal of the lease, a new lease was granted to Ord and Planta, the assignment to the new trustees having been overlooked. A third lease was subsequently executed by the dean to a third set of trustees, with the concurrence of Barber and Parry, but not of Ord and Planta, and the defence to the action (which was for rent on the underlease) was, that, by reason of the outstanding term in Ord and Planta under the second lease, the dean was not seized of the immediate reversion within the meaning of the stat. 4 Geo. 2, c. 28, (which preserves the remedies on an underlease, notwithstanding a surrender of the lease reversion for the purpose of renewal). The plaintiff relied on the dean having possession of the second lease as evidence of the lessee's assent to the third lease; which assent, it was contended, amounted to a surrender in law of the second lease. But the Court of Exchequer, admitting the inference of assent, denied that it operated as a surrender in law. They said that a surrender by operation of law is, where the owner of a particular estate has been a party to some act, the validity of which he is by law afterwards estopped from disputing, and which would not be valid if his particular estate had continued to exist. In such cases, the Court added, there can be no question of intention. The surrender takes place independently, and even in spite of intention. But the mere assent of the tenant to a change of tenancy is an act which, like any other ordinary act in pais, is capable of being explained; and its effect must, therefore, depend, not on any legal consequence necessarily arising out of the act itself, but on the intention of the parties. The acts in pais which bind parties by way of estoppel are but few, and are pointed out by Lord Coke. (Co. Litt. 352. a.) They are all acts which anciently really were, and in contemplation of law have always continued to be, acts of notoriety not less formal and solemn than the execution of a deed; such as livery, entry, acceptance of an estate, and the like. But it would place titles in great peril if they were liable to be affected by such accidents as those alluded to in *Thomas v. Cooke*. A mortgage term might be surrendered by the mortgagee's assent to a lease by the mortgagor. For these reasons, and without being prepared to overrule the cases of *Thomas v. Cooke*, *Walker v. Richardson*, &c., the Court declined to follow them in the case of a reversion or incorporeal hereditament, of which there could be no open and notorious change of possession. In *Nichols v. Atherstone* the Court of Queen's Bench approved of the decision in

Lyon v. Reed, but dissented from the criticism of the Court of Exchequer on the class of cases to which *Thomas v. Cooke* belongs, and founded their decision mainly on the fact, that in the case before them there had been an actual change of possession.

Lyon v. Reed, therefore, stands unimpeached as the only direct authority on the present question; and it is with great hesitation that we venture to question the soundness of that decision. The Court of Exchequer assumes, that a surrender in law is always the result of an estoppel, and never of intention; but it is remarkable that in no other case is estoppel relied on, and that in several cases of unquestionable authority it has been held, that, though there might be an estoppel, there was no surrender, because there could be no intention to surrender in the event which happened; and in other cases a surrender has been implied, though there was no estoppel. Thus it is now settled, that the acceptance of a lease, which, for want of estate or authority in the lessor, or for any other reason, cannot operate so fully as the parties intend, involves no surrender: *Lloyd v. Gregory*, (Sir W. Jones, 405), so decided, as Lord Mansfield explains, in *Zouch v. Parsons*, (3 Burr. 1807), because the cause, ground, and condition of the surrender had failed; *Ros v. The Archbishop of York*, (6 East, 86); *Davidson v. Stanley*, (4 Burr. 1945), where Lord Mansfield said, "Where the first lease could be of no use if he had the second, and both parties so intended, there is no inconsistency in the acceptance of a new good lease being a surrender of the former. But accepting a new void lease, which the lessee is not to enjoy, could not shew an intention to surrender the other." There the lessor had, in the interval between the first and the second lease, made a settlement of his reversion, under which he took back only a life estate; and the settlement was not known to the lessee. The case of *Doe v. Poole* (12 Jur., part 1, p. 451) shews still more conclusively that a surrender in law is not an estoppel, but, as the name imports, an implied surrender, just as a covenant in law is an implied covenant. In that case it was held, after an elaborate examination of the authorities, that the acceptance of a new lease, which, for want of compliance with the terms of a power, was good only for the lessor's life, operated as a conditional surrender only during the lessor's life; and the Court said, "The doctrine of surrenders implied by law was introduced for the purpose of giving effect to the intention of the parties. The surrender is presumed for the purpose of making a grant operative which would otherwise be without effect. (*Thompson v. Trafford*, Poph. 8, 9). The surrender is in consideration of the grant; and if the grant fails, contrary to the intention of the parties, it seems unreasonable that an absolute surrender should be presumed to have been intended." The decision must have been the reverse, if the ground of the doctrine were, as the Court of Exchequer represents it to be, that the lessee, by accepting the lease, is estopped from denying the lessor's title to make it. No doubt there is an estoppel in such cases until eviction; but if that were all, it would have been called "estoppel," and the expression "surrender in law" would never have been invented.

There may also be a surrender in law where there is no estoppel, as where the lessee for life or years accepts a grant of common or rent out of the demised land. (2 Roll. Ab. 496, l. 20). In *Walker v. Richardson* also, which was an action by the new lessee against a stranger, there could be no estoppel.

A surrender in law, then, is nothing more than a surrender implied from the tenant joining with the landlord in some transaction which does not purport to be in itself a surrender, but which cannot operate according to the intention without a previous surrender, actual or implied; and the exception of surrenders by

operation of law, in the 3rd section of the Statute of Frauds, is an exception of implied surrenders. Therefore, where the tenant orally agrees that the tenancy shall cease and the landlord re-enter, this is an express surrender, and cannot operate for want of writing. (*Mollett v. Brayne*, 2 Camp. 103; *Johnston v. Huddleston*, 4 B. & Cr. 922). But if such an agreement is followed by delivery of possession to the landlord, the landlord's entry is thus explained to be a lawful entry in right of his old estate, which could not be without a prior surrender of the term; and such surrender is implied, not from the agreement, but from the entry explained by the agreement. (*Grimman v. Legge*, 4 B. & Cr. 324; *Dodd v. Acklam*, 7 Scott's N. R. 415). In *Cannan v. Hartley*, (14 Jur., part 1, p. 577), on the other hand, where the accompanying circumstances or declarations of the parties shew that the tenant licenses the landlord's entry for a special purpose, as to make a feoffment, (Dy. 33 b; 2 Roll. 496, l. 35), or where the landlord enters after the tenant has removed his goods to avoid a distress, (Bro. Ab., "Surrender," pl. 25), no surrender is implied. If the tenant gives up possession to the landlord's lessee, that is equivalent to giving up possession to the landlord himself, (*Doe v. Harlow*, 12 Ad. & El. 40), and implies a prior surrender; and the act from which the implication is raised may consist of words only, as where the tenant, without any change of possession, verbally agrees with the landlord for a new tenancy. The assent of the tenant to a new demise to a stranger seems to us to be an act of the same kind. It does not purport to be a surrender in itself, but it is a transaction which, as it cannot be effectual unless a surrender has been made, implies a surrender, and is within the exception in the Statute of Frauds.

But even if all surrenders in law depended on the doctrine of estoppel—and by a refined and somewhat enlarged application of that doctrine, taken with the rule in *Doe d. Christmas v. Oliver*, (10 B. & Cr. 181), that the estate, where it exists or where it accrues, feeds the estoppel, all the cases, including *Walker v. Richardson*, might perhaps be explained consistently with the general doctrine in *Lyon v. Reed*, though they were certainly decided on very different grounds—it seems to us that the result in this case would be the same. It is not true that the acts in pais, which bind parties by estoppel, are few, or that they are all acts which, in contemplation of law, are or ever were acts of notoriety. In the passage in 1st Inst., referred to in *Lyon v. Reed*, Lord Coke professes only to state a few instances by way of illustration; but among them is "acceptance of rent," which was never considered an act of notoriety. So it is settled by that extensive series of cases to which *Pickard v. Sears* (6 Ad. & El. 469) and *Freeman v. Cooke* (2 Exch. 654) belong, that a party is estopped by every averment or admission made by him, either by words or by conduct, which induces another person to alter his condition; and that is plainly done in the case under consideration.

We therefore venture to suggest, that the decision in *Lyon v. Reed* cannot be sustained; and we do not anticipate, from such an extension of the doctrine of *Thomas v. Cooke* as is there deprecated, any of the evil consequences which are suggested by the Court of Exchequer. Whether the doctrine be founded on implication or on estoppel, it is plain, both from principle and from the cases of a void lease, a license to make a feoffment, &c., that it can never operate against the intention of the parties, so far as they have consistent intentions; and where a mortgagee for years assents to a lease by the mortgagor, the intention is, not to represent to the lessee that the mortgagor alone can grant the lease, but to confirm the lessee's title by making him hold of the mortgagee.

G. S.

LIABILITY OF AN OCCUPIER OF LAND FOR THE ACTS OF PERSONS EMPLOYED BY HIM ON IT.

A SUBJECT which has repeatedly engaged the attention of our courts of law is that of the liability of the occupier for the acts of persons working on his premises, whose immediate master is under a contract to perform certain works for him.

The first case in which the point underwent much discussion was *Bush v. Steinman*, (1 B. & P. 404)—an action against the owner of a house who had employed a surveyor to do some work upon it. There were several such contracts, and one of the workmen of the person last employed put some lime on the road, in consequence of which the carriage of the plaintiff was overturned, and it was held that the defendant was liable, though the person who occasioned the injury was not his own immediate servant. Eyre, C. J., however, was at first inclined to think that the action would not lie; and afterwards, in the course of his judgment, although he had then come to a different conclusion, he said, "I am ready to confess that I find great difficulty in stating with accuracy the grounds on which it is to be supported. The relation between master and servant, as commonly exemplified in actions brought against the master, is not sufficient; and the general proposition, that a person shall be answerable for any injury which arises in carrying into execution that which he has employed another to do, seems too large and loose." Where, then, is the line to be drawn? That the difficulty lies here is manifest, from the above passage being often quoted by succeeding judges. Littledale, J., in his very able judgment in *Laugher v. Pointer*, (5 B. & Cr. 547), endeavoured to solve the difficulty by pointing out the distinction between injuries arising from the negligent conduct or management of works relating to real property and those relating to personal property. "The injuries done upon land or buildings are in the nature of nuisances, for which the occupier ought to be chargeable when occasioned by any acts of persons whom he brings upon the premises. The use of the premises is confined by the law to himself, and he should take care not to bring persons there who do any mischief to others." But with regard to moveable property it is otherwise, and he proceeded to explain why the owner should not be necessarily liable for the negligent management of such property. And this law was expressly recognised and approved in *Quarman v. Burnett*, (6 M. & W. 499).

In these last two cases the injury arose from the negligent management of moveable property, and it was not necessary for the decision of either of them to lay down positively that the owner of fixed property should always, or even where the wrongful act was "in the nature of a nuisance," be liable for the negligent conduct or management of such property. All that was attempted to be done was to enunciate such general principles as might apply to the questions then before the Court, and not be inconsistent with the previously decided cases of *Bush v. Steinman*, (1 B. & P. 404); *Littledale v. Lord Lonsdale*, (2 H. Bl. 267, 299); and *Sly v. Edgeley*, (6 Esp. 6).

But an opinion seems to have sprung up, and was certainly more prevalent than true, that in all cases where the injury was connected with real property, the owner of it should be liable, whether the act which was the cause of such injury amounted to a nuisance or not, although it would be otherwise in the case of moveable property.

In *Reedie v. The North-western Railway Company* (13 Jur. 659), the bare point was put to the Court of Exchequer—was there, in fact, any distinction as to the law in cases of fixed and of moveable property? It was an

action brought against the defendants, under the 9 & 10 Vict. c. 93, by the personal representative of a person killed by the fall of a large block of stone. The accident was caused by the negligence of some of the workmen of the contractor who had been employed by the defendants to construct a viaduct for them, and the workmen, at the time of the accident, were engaged in removing the stone from a travelling truck; and Rolfe, B., in giving the judgment of the Court, said—"On full consideration we have come to the conclusion that there is no such distinction, unless, perhaps, in cases where the act complained of is such as to amount to a nuisance."

So that it is still an open question whether the owner, or rather occupier, of real property is to be liable for the acts of the workmen of his contractors, when those acts are such as to amount to a nuisance. And in the conflict of law on this point, may not another consideration be introduced as a material element in the question? The injury in the last-mentioned case, it will be perceived, arose from the personal negligence or carelessness of the workmen, and the act that caused it was not such as to amount to a nuisance, nor was it any evidence of the want of skill or care on the part of the contractor, who had been "brought on the premises" by the defendants, selected by them on account of their belief in his competency for the work. Nothing, therefore, could have been more unjust than to have held the defendants answerable for the mere carelessness of persons whom they had no hand in selecting, and whose qualifications for the task assigned to them they never vouched or knew anything of. And in the case put by Platt, B., (in the argument of *Reedie v. The North-western Railway Company*), of a clumsy workman carrying up a hod of bricks and carelessly letting them fall upon a passenger in the street, we have another instance of an injury arising from the personal negligence of a workman; and surely one could no more successfully contend for the liability of the occupier of the house in such a case, than for the railway company's liability in the principal case. Now, what difference in principle would there be, if the clumsy workman were to let fall such a number of bricks upon the pavement beneath him (supposing the hod capable of containing a sufficient quantity) as to amount to a nuisance, and a short-sighted person were to stumble over them and break his leg? This carelessness or negligence here spoken of is distinguishable from that where a piece of machinery or other work has been badly or improperly constructed; for although in both cases the injury may arise from the negligence of the workmen, yet, in the present case, it is the workman's negligence only, not adopted or ratified by his master at all; whereas, in the latter case, it is the duty of the workman's immediate master, and before making use of any such machinery or other work it is the principal's duty also, (that is, the person for whom the work was being done), to see that it has been properly constructed; and each of them are supposed, in their several ways, to have adopted the acts and approved the work of those employed upon it, and the principal is, therefore, liable for any injury arising from the use of it.

If, then, that distinction as to the law between fixed and moveable property is to hold good in cases where the act complained of amounts to a nuisance, might it not become important to consider whether the act was or was not simply a piece of negligence on the part of the workman, unadopted and unapproved by anybody?

It should be observed, however, that the mere ratification or adoption of the workman's work by the contractor, although evidence of want of skill or care on his part, will not, at least in ordinary cases not amounting to a nuisance, render the principal liable, if the contractor or middleman carry on a definite business, recognised by the law as an independent calling. (*Allen*

v. Hayward, 7 Q. B. 975). And it may reasonably be doubted whether, if the act did amount to a nuisance, that would make any difference. See the case of *Burgess v. Gray*, (1 C. B. 578), where the defendant had personally interfered and adopted the wrongful act, and was therefore held liable; but no stress was laid, in arguing that case, on the fact that the act which occasioned the injury amounted to a nuisance.

The chief points, therefore, to which attention will have to be directed, when any such question as that we have been discussing comes to be decided, are—Does the contractor or middleman carry on a definite business, recognised by the law as an independent and distinct calling? Did the act which occasioned the injury amount to a nuisance? And has the principal personally interfered, or otherwise, either actually or constructively, adopted the acts from which the injury complained of arose? When answers to these three questions shall have been returned, it will be easy to decide as to the liability or non-liability of the defendant: one case excepted—the case left open by the recent judgment of the Court of Exchequer: i. e. when the first and second questions are answered in the affirmative, and the last not answered at all, or answered in the negative; but in such case, we submit, there is little doubt that the last question, being answered in the negative, will negative the principal's liability.

London Gazette.

TUESDAY, SEPTEMBER 10.

BANKRUPTCY.

DANIEL RADFORD and GAD SOUTHALL, Gracechurch-st., London, coal merchants, (lately trading in co-partnership, under the firm of Radford & Co., the said Daniel Radford also trading on his own account at Parliament Wharf, Millbank, Westminster, and New Bond-st., Middlesex, and Holborn-hill, London), Sept. 27 at 2, and Oct. 25 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lawrance & Plews, 14, Old Jewry-chambers.—Petition dated Sept. 2.

JOHN DAWSON, Northfleet, Kent, and Mitre-court-chambers, Temple, and Clement's-lane, Lombard-street, London, shipowner, merchant, dealer and chapman, Sept. 18 at 12, and Oct. 22 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrance & Plews, 14, Old Jewry-chambers.—Petition filed Aug. 27.

RICHARD GADSDEN, Boughton Mill, Northamptonshire, miller, dealer and chapman, Sept. 18 and Oct. 22 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Fleisher, Northampton; Austen, 4, Raymond-buildings, Gray's-inn, London.—Petition filed Aug. 29.

JOHN HALL, Brighton, Sussex, victualler, Sept. 24 at 12, and Oct. 22 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Kennett, Brighton; Sowton, 6, Great James-street, Bedford-row.—Petition filed Sept. 7.

JOSEPH CHARLES BYRNE, Pall-mall East, Middlesex, and Sun-court, Cornhill, London, emigration agent and merchant, (trading under the firm of J. C. Byrne & Co.), Sept. 27 at 2, and Oct. 22 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Green & Dennis, 10, Angel-court, Throgmorton-street.—Petition filed Sept. 6.

AAC JESSUP, Kingsdown, near Dartford, Kent, farmer, dealer and chapman, Sept. 25 at 12, and Oct. 22 at half-past 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Noakes, Woolwich, Kent; G. & C. Corner, 19, Fooley-street, Southwark.—Petition filed Sept. 7.

JOSEPH BROWN, Gravesend, Kent, grocer and cheesemonger, dealer and chapman, Sept. 24 at 1, and Oct. 22 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Sharland, Gravesend; Wilkinson & Co., 2, Nicholas-lane, Lombard-street.—Petition filed Sept. 9.

EMMERLAND STANFORD, Plymouth, Devonshire, innkeeper, dealer and chapman, Sept. 20 and Nov. 7 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Herdman; Sols. Edmonds & Sons, Plymouth; Stogdon, Exeter.—Petition filed Sept. 6.

MEETINGS.

George Barton and John Barton, Manchester, copper roller manufacturers, Sept. 20 at 12, District Court of Bankruptcy, Manchester, pr. d.—**Thos. Smith**, Liverpool, cheesemonger, Sept. 24 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**Henry James Hinzman**, Bury, Lancashire, apothecary, Sept. 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.—**Richard Abram**, Liverpool, wine merchant, Oct. 2 at 11, District Court of Bankruptcy, Liverpool, div.—**Alex. Brown and Wm. Todd**, Liverpool, provision merchants, Oct. 2 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of **Alex. Brown**.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Ward Evans, Ludlow, Shropshire, butcher, Oct. 3 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Thomas J. Edwards, King-street, St. George, Bloomsbury, Middlesex, dressing-case maker.—**Wm. H. Griffiths**, Newtown, Montgomeryshire, ironmonger.—**William Hayhurst**, Liverpool, coach proprietor.—**Matthew Colledge**, Brinklow, Warwickshire, coal merchant.

FIAT ANNULLED.

Henry Ashbee, Kingscote, Gloucestershire, innkeeper.

PARTNERSHIP DISSOLVED.

Francis Herbert, William H. W. Burnett, and **Herrmann Lang**, Serjeants'-inn, Fleet-st., London, solicitors, (carrying on business under the firm of Herbert, Burnett, & Lang).

SCOTCH SEQUESTRATIONS.

Andrew Millar & Son, Edinburgh, merchants.—**James Lillie & Son**, Glasgow, drapers.—**George Clark**, Edinburgh, innkeeper.—**John Douglas**, Edinburgh, fishing-tackle maker.—**Arthur Cheyne**, dec., Ollaberry, Zetland.—**George Bridges**, Ayr, hotel keeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. T. Wise, Oxford, shoemaker, Sept. 25 at 2, County Court of Oxfordshire, at Oxford.—**Robert Roberts**, Dolgelly, Merionethshire, mine agent, Sept. 24 at 11, County Court of Merionethshire, at Dolgelly.—**Ferdinand Rowohl**, Chorlton-upon-Medlock, Manchester, out of business, Sept. 20 at 2, County Court of Lancashire, at Manchester.—**John Wright**, Springfield, Lower Crumpsall, near Manchester, Sept. 20 at 2, County Court of Lancashire, at Manchester.—**John Cameron**, Shudehill, Manchester, cabinet maker, Sept. 20 at 2, County Court of Lancashire, at Manchester.—**James Hyde**, Bickford, Penkridge, Staffordshire, in no business, Sept. 16 at 10, County Court of Staffordshire, at Stafford.—**Francis Moreton**, Stafford, gardener, Sept. 16 at 10, County Court of Staffordshire, at Stafford.—**Christopher Dodsley**, Swinnerton, Staffordshire, clerk, Sept. 17 at 10, County Court of Staffordshire, at Stone.—**J. Pring**, Swilcombe, Devonshire, general dealer, Sept. 18 at 10, County Court of Devonshire, at Honiton.—**John Booth**, Bradford, Yorkshire, out of business, Sept. 24 at 11, County Court of Yorkshire, at Bradford.—**Henry Cook**, East Donyland, Essex, master mariner, Sept. 16 at 12, County Court of Essex, at Colchester.—**Geo. Lee**, Liverpool, saddler, Sept. 16 at 10, County Court of Lancashire, at Liverpool.—**Edward Kirby**, Liverpool, auctioneer, Sept. 16 at 10, County Court of Lancashire, at Liverpool.—**Joseph Unsworth**, Liverpool, butcher, Sept. 16 at 10, County Court of Lancashire, at Liverpool.—**Thomas Godfrey**, Bootle, near Liverpool, ship broker, Sept. 16 at 10, County Court of Lancashire, at Liverpool.—**James Clarke**, Liverpool, out of business, Sept. 16 at 10, County Court of Lancashire, at Liverpool.—**J. Williams**, Liverpool, bookkeeper, Sept. 16 at 10, County Court of Lancashire, at Liverpool.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Theodore S. Tearne, Cheltenham, Gloucestershire, surgeon, No. 72, 642 C.; **Thomas Maitland and Greenhaw Thompson**, assignees.—**Thomas Heaton**, Upholland, near Wigan, Lanca-

shire, coal proprietor, No. 72,729 C.; Thomas Mills, assignee.—*Robert Alderton*, Swallow, Durham, cheese dealer, No. 72,781 C.; *Robert Brown*, assignee.

Saturday, Sept. 7.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Joseph Stammers, Duke-street, Bloomsbury, Middlesex, musical director: in the Queen's Prison.—*Wm. L. Jenkins*, Tottenham-court-road, Middlesex, articled clerk to an attorney: in the Queen's Prison.—*Robert Thos. Forrest*, Sawly-place, Windmill-street, Brixton, Surrey, bricklayer: in the Gaol of Horsemonger-lane.—*Richard Sowden*, Louth, Lincolnshire, master mariner: in the Gaol of Horsemonger-lane.—*David Wingfield*, Type-street, Finsbury, Middlesex, saddler: in the Debtors Prison for London and Middlesex.—*George Groom*, Pearson-street, Kingsland-road, Middlesex, carver: in the Debtors Prison for London and Middlesex.—*George Hammond*, Great Suffolk-street, Southwark, Surrey, carman: in the Gaol of Horsemonger-lane.—*Wm. Willmott*, West Ham, Essex, machine ruler: in the Debtors Prison for London and Middlesex.

(On Creditors' Petitions).

Richard Forrest, Battersea-fields, Surrey, landscape gardener: in the Queen's Prison.—*Richard Thomas Forrest*, Nine Elms, Surrey, brewer: in the Queen's Prison.

(On their own Petitions).

Wm. Earl, Chester, in no business: in the Gaol of Chester.—*Morgan Evans*, Llanelly, Carmarthenshire, victualler: in the Gaol of Carmarthen.—*John Humphreys*, Llanillin, Denbighshire, shoemaker: in the Gaol of Ruthin.—*Thos. Lee*, Bristol, Somersetshire, in no business: in the Gaol of Bristol.—*John Mollison*, York, whitesmith: in the Gaol of York.—*I. Ward*, Devizes, Wiltshire, house decorator: in the Gaol of Fisherton Angar.—*James Keylock*, Pangbourne, near Reading, Berkshire, in no business: in the Gaol of Reading.—*James Duke*, Newark-upon-Trent, Nottinghamshire, bricklayer: in the Gaol of Nottingham.—*Geo. Haigh*, Newark-upon-Trent, Nottinghamshire, oster: in the Gaol of Nottingham.—*John Shepherd*, Canterbury, Kent, cement manufacturer: in the Gaol of Canterbury.—*Joseph Booth*, Leeds, Yorkshire, file cutter: in the Gaol of York.—*Timothy Knowles*, Little Horton, near Bradford, Yorkshire, shoemaker: in the Gaol of York.—*Fras. West*, Bristol, plumber: in the Gaol of Bristol.—*R. O. Helden*, Leeds, Yorkshire, sharebroker's clerk: in the Gaol of York.—*William Sherwood*, Leeds, Yorkshire, cloth dresser: in the Gaol of York.—*Chas. Firth*, Barnsley, Yorkshire, corn miller: in the Gaol of York.—*George Raistrick*, Pudsey, near Leeds, Yorkshire, woollen cloth manufacturer: in the Gaol of York.—*Richard Whitaker*, Deansgate, Bolton-le-Moors, Lancashire, ironmonger: in the Gaol of Lancaster.—*Thomas Jones*, Bryngwyn, Monmouthshire, farmer: in the Gaol of Monmouth.—*Richard White*, Cwmcavon, Monmouthshire, farmer: in the Gaol of Monmouth.—*Jas. Clancy*, York, provision dealer: in the Gaol of York.—*James Ralph*, Staple, near Wingham, Kent, shoemaker: in the Gaol of Maidstone.—*Mary Finchley*, widow, Plumstead, Kent, out of business: in the Gaol of Maidstone.

(On Creditor's Petition).

Thos. Carter, Stafford, coal dealer: in the Gaol of Stafford.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 24 at 10, before Mr. Commissioner LAW.

Charles Weller, Rectory-cottages, Bloomfield-street, North Kingsland, Middlesex, out of business.—*Anthony Clark*, Old Boswell-court, Strand, Middlesex, gold and silver worker.—*Wm. Henry Hobbs*, Great Hermitage-street, Wapping, Middlesex, lighterman.—*Henry Blackburn*, Kent-place, Caledonian-road, Pentonville, Middlesex, out of business.—*Henry Turner*, King-street, Old Kent-road, Surrey, out of business.

Sept. 24 at 11, before Mr. Commissioner PHILLIPS.

Ebeneser Corby, Upper Fitzroy-place, Henry-street, Hampstead-road, Middlesex, confectioner.—*Bennett Beeson*, John-street, Hanway-street, Oxford-street, Middlesex, in no business.—*William Hunter*, Upper-street, St. Mary, Islington, Middlesex, cheesemonger.—*Hugh Swan*, Isleworth, Middlesex,

out of business.—*Edward Kilbinton Brewer*, Pratt-street, Camden-town, Middlesex, county advertising commission agent.

Sept. 25 at 11, before the CHIEF COMMISSIONER.

William Stegals, Leatherhead, Surrey, shoemaker.—*Harry Hartley*, George-street, Minorics, City, tailor.

Sept. 25 at 11, before Mr. Commissioner HARRIS.

James Cheaffers, Brook Ratcliff, Middlesex, licensed victualler.—*George Williams Alexander Milburn*, Brompton-square, Brompton, Middlesex, lodging-house keeper.

Sept. 25 at 10, before Mr. Commissioner LAW.

Elizabeth Turner, widow, Somerset-street, Portman-square, Middlesex, housekeeper.—*John Laing*, Albert-terrace, London-road, Southwark, Surrey, in no business.

Sept. 25 at 11, before Mr. Commissioner PHILLIPS.

Thomas Vaughan, High-street, Tottenham, Middlesex, milkman.

Sept. 26 at 11, before the CHIEF COMMISSIONER.

Maurice Newman, Church-lane, Whitechapel, Middlesex, cigar manufacturer.—*John Josephs*, Gravesend, Kent, out of business.

Sept. 26 at 11, before Mr. Commissioner HARRIS.

John William Fletcher Kelsey, East-lane, Barmsey, Surrey, milkman.

Sept. 26 at 10, before Mr. Commissioner LAW.

Thomas Marchant, Knight's-buildings, New-road, North-end, Fulham, farrier.—*Ralph Moore*, Titchfield-terrace, St. John's-wood, Middlesex, out of business.

Sept. 26 at 11, before Mr. Commissioner PHILLIPS.

Sarah Sutton, Craven-street, Strand, Middlesex, out of business.—*John Cash*, Warwick-street, Golden-square, Middlesex, out of business.

Sept. 26 at 11, before Mr. Commissioner HARRIS.

John Goodall, Milton-street, Dorset-square, Middlesex, in no business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, Sept. 24 at 10.

Daniel Dyball, Cambridge, confectioner.

At the County Court of Hertfordshire, at HERTFORD, Sept. 25.

Frederick William Gough, Hertford, not following any trade.—*Richard Hewish*, Hertford, tailor.

INSOLVENT DEBTOR'S DIVIDEND.

Thomas Holmes, Pitchcombe, Gloucestershire, gardener: 3s. 7d. in the pound, Kearsey's, Stroud.

FRIDAY, SEPTEMBER 13.

BANKRUPTS.

GEORGE KETCHER, Asheldham, Essex, innkeeper, Sept. 28 at half-past 1, and Oct. 25 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Barnes, Colchester; Wire & Child, 9, St. Swithin's-lane, King William-st., London.—Petition dated Aug. 30.

JAMES HUSSEY, Poole, linen and woollen draper, Sept. 30 and Oct. 25 at 2, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Garland & Fear, Dorchester; Sowton, Great James-st., Bedford-row, London.—Petition dated Aug. 27.

THOMAS BOOKER the elder and **THOMAS BOOKER** the younger, Mark-lane, London, merchants, Sept. 25 at 1, and Oct. 22 at half-past 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Leigh, 16, George-street, Mansion-house, London.—Petition filed Sept. 10.

CHARLES CUTHBERT, Kennington-cross, Lambeth, Surrey, corn dealer, Sept. 24 at 2, and Oct. 29 at half-past 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Miller & Carr, 47, Eastcheap.—Petition filed Sept. 7.

WILLIAM JEFFERSON, Kingston-upon-Hull, painter, dealer and chapman, Sept. 25 and Oct. 16 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Moss, Hull.—Petition dated Aug. 21.

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PARTNERSHIP DISSOLVED.

John Foster Elmslie and Henry John Preston, Moorgate-street, London, attornies-at-law and solicitors.

SCOTCH SEQUESTRATIONS.

Gavin Park, Glasgow, fisher.—*John Macdonald*, Glasgow, mason.—*Wm. Campbell Gillan*, Glasgow, banker.—*William Anderson*, Newbigging, Carnwath, Lanarkshire, wright.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Henry Piall, Rye, Sussex, schoolmaster, Sept. 19, County Court of Kent, at Romney.—*George Illing*, Woodstock, Oxfordshire, licensed victualler, Sept. 27 at County Court of Oxfordshire, at Woodstock.—*John Kent*, Witney, Oxfordshire, baker, Sept. 28 at 11, Court of Oxfordshire, at Witney.—*John Bland*, e, Nottinghamshire, butcher, Oct. 11 at 9, County Nottinghamshire, at Nottingham.—*William Parr*, Basford, Nottinghamshire, tailor, Oct. 11 at 9, rt of Nottinghamshire, at Nottingham.—*Edward younger*, High Jubbergate, Yorkshire, butcher, 0, County Court of Yorkshire, at York Castle.—*Frederick Cianchettiini*, Cheltenham, Gloucester of music, Oct. 22 at 10, County Court of at Cheltenham.—*Henry Steward*, Caldmore, shire, druggist, Sept. 28 at 12, County Court at Walsall.—*James Silvester*, Birmingham, 8 at 11, County Court of Warwickshire, at Bert Tisdale, Birmingham, beerseller, Sept. Court of Warwickshire, at Birmingham.—Birmingham, plumber, Sept. 28 at 11, Warwickshire, at Birmingham.—*Ammon*, Staffordshire, gardener, Sept. 28 at Warwickshire, at Birmingham.—*Joseph* ommission corn agent, Sept. 28 at 11, wickshire, at Birmingham.—*Henry*, leather-case maker, Sept. 28 at wickshire, at Birmingham.—*Edw.* orse dealer, Sept. 28 at 11, County it Birmingham.—*Thomas Aust* wickshire, cordwainer, Sept. 28 at wickshire, at Birmingham.—*Per-* m, merchant's clerk, Sept. 28 at wickshire, at Birmingham.—*Basil*, Sept. 28 at 11, County Court n.—*Eli Mann*, Birmingham, Court of Warwickshire, at Birmingham, silver chain Court of Warwickshire, at ham, electro plate worker, Warwickshire, at Bir- n, out of business, Sept. ire, at Birmingham.

to be brought up before examined and dealt

COMMISSIONER.

ibus proprietor.—
1, Old Kent-road,
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HARRIS.

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grocer, No. 72,804; Wm. Woodward, assignee.—Wm. Pale, Burnley, cabinet maker, No. 72,811; S. Smith, assignee.—J. Matthew, Middleton, near Manchester, cotton yarn dresser, No. 72,774; Abel Saxon, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Sept. 27 at 11.

Henry Williams Potter, Manchester, general agent.—Edw. Daniel, Liverpool, out of business.—John Parsons, Liverpool, out of business.—Thomas Booth, Cheetham, Manchester, grocer.

At the County Court of Gloucestershire, at GLOUCESTER, Oct. 14 at 10.

Wm. Little, Sapperton, farmer.

At the County Court of Nottinghamshire, at NOTTINGHAM, Oct. 11 at 9.

George Haigh, Newark-upon-Trent, ostler.—James Duke, Newark-upon-Trent, bricklayer.

At the County Court of Leicestershire, at LEICESTER, Oct. 17.

Wm. Wootton, Ashby-de-la-Zouch, plumber.—William Douglas Fewster, Theddingworth, near Market Harborough, railway inspector.

At the County Court of Yorkshire, at YORK CASTLE, Sept. 28 at 10.

John Mortimer, Cleckheaton, near Leeds, labourer.—Jos. Booth, Leeds, file-cutter.—Timothy Knowles, Little Horton, near Bradford, labourer.—Maria Clark, Holbeck, near Leeds, licensed hawk of jewellery.—William Henry Housfield, Leeds, hosier.—George Moulson, Little Horton, near Bradford, stonemason.—Jonathan Moulson, Little Horton, near Bradford, stonemason.—Robert Ongley Holden, Leeds, share-broker's clerk.—John Ferrer, Eccleshill, near Bradford, out of business.—John Milnes, Wakefield, out of business.—William Sherwood, Leeds, cloth dresser.—Henry Tugwood, Leeds, cap maker.—Benjamin Wm. Holroyd, Halifax, wool-stapler.—George Raistrick, Pudsey, near Leeds, woollen cloth manufacturer.—Charles Firth, Barnsley, out of business.—John Mollison, York, out of business.

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The Jurist

No. 715—VOL. XIV. SEPTEMBER 21, 1850.

PRICE 1s.

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Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Crown Cases Reserved..	{ ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, SEPTEMBER 21, 1850.

THE amendment of the law forms the subject of a long letter recently published by Lord Brougham, and addressed to Lord Denman. The matters discussed are important in themselves, though in some respects unconnected; and his Lordship's treatment of them, his brilliant though discursive style, will not fail to recommend them to public attention. After complaining of the frequent opposition with which his own projects have been met, he proceeds to review the legislation of 1850, so far as it relates to law reform.

The history of County Court bills, including the last, is considered to be instructive, as shewing the caprice, uncertainty, and ignorance of our legislators, and as proving the necessity of appointing a Minister of Justice, whose province it should be to mature all plans for amending the law, as well as to superintend those who are engaged in administering it. And speaking of the conflict between the two Houses upon the County Court Extension Bill, he adds—"It passed, however, with some defects, which would have been avoided, as would have been the unseemly spectacle of the blunders and ignorance, the jars and conflicts, which I have described, had a department existed in this as in other countries, where it is far less wanted—a department charged with the superintendence of our jurisprudence." The powers with which this Minister of Justice should be invested are not defined with any certainty, nor is it clear that such an officer could have prevented a conflict between the House of Lords and the House of Commons upon such substantial questions as a concurrent and appellate jurisdiction connected with the county courts; but it is evident that some efficient superintendence is required in the preparation

of Parliamentary bills, in all relating to their form and phraseology, and to their effect upon prior statutes. We gather from different portions of the letter, that if the proposed separation of the Chancellor's duties takes place, the Lord Keeper would (in Lord Brougham's opinion) be the proper person to exercise the functions of a Minister of Justice.

The next measure of the last session which meets with his Lordship's approbation is Mr. Turner's Chancery bill, "by which an easy, speedy, and cheap method is provided of obtaining the Court's opinion on points in dispute where the facts are admitted." But much remains to be done. "We have amended the bankrupt laws; the proceedings in equity remain to be reformed. We have made provisions, useful, though paltry enough, to abridge the style of our statutes: we have done nothing to secure general superintendence of their structure and composition. We have created an excellent appellate jurisdiction for our plantations: we have yet somewhat to improve in the Court of Review for the mother country. We have mitigated the severity of the criminal code: we have given no security to the public that offenders shall be brought to justice. We have digested the law of debtor and creditor: the law generally, and above all the criminal law, remains undigested, both common and statute." Lord Brougham recommends the application of the Winding-up Acts to the administration of the estates of deceased persons; the appointment of a public prosecutor; and the enactment of a criminal code. He states that seventeen years have elapsed since the issuing of the Criminal Law Commission for the preparation of such a code, and that nearly 100,000*l.* have been expended upon the work. He then considers the appellate jurisdiction of the House of Lords, and

VOL. XIV.

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opinion that it should be left as it is; divorce bills he would have still passed by the House of Lords, but with the aid of the Judicial Committee's report on the evidence. "Certainly at present," he adds, "nothing can be more unsatisfactory than the practice of these divorce bills, which confine the remedy entirely to the rich." The proposition for dividing the office of Lord Chancellor is "liable to serious objections." He is opposed to the present system of appointing Crown lawyers to the first vacancies which happen on the Bench, and repeats that, in the words of Lord Coke, "the cushion of the Common Pleas is the pillow on which Mr. Attorney doth lay his head." The report of the Committee upon Judicial Salaries is then dissected; exception is taken to the evidence upon which it is based, and its conclusions are denied.

An eloquent peroration concludes the letter which we have thus briefly analysed, and we are happy to learn from it that his Lordship, though discouraged, does not yet despair of the cause of law reform.

PUBLIC GENERAL STATUTES.

13 & 14 VICTORIA.—SESSION 3.

CAP. I.

An Act to amend an Act of the last Session, for making Provision for the Collection of County Cess in Ireland, and for the Remuneration of the Collectors thereof.
[22nd February, 1850.]

CAP. II.

An Act to restrain Party Processions in Ireland.
[12th March, 1850.]

CAP. III.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year 1850.
[25th March, 1850.]

CAP. IV.

An Act for requiring the Transmission of annual Abstracts of Accounts and Statements of Trustees or Commissioners of Turnpike-roads and Bridges in Ireland to the Lord Lieutenant to be laid before Parliament.
[25th March, 1850.]

CAP. V.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
[25th March, 1850.]

CAP. VI.

An Act for the Regulation of her Majesty's Royal Marine Forces while on Shore.
[25th March, 1850.]

CAP. VII.

An Act for consolidating the Office of the Registrar of Metropolitan Public Carriages with the Office of Commissioners of Police of the Metropolis, and making other Provisions in Regard to the consolidated Offices.
[25th March, 1850.]

- Sect. 1. Office of registrar of metropolitan public carriages abolished.
2. Duties of abolished office transferred to Commissioners of Police.
3. Retiring allowances may be granted to officers whose offices are abolished.
4. Standings for hackney carriages to be appointed.
5. Repeal of local acts.
6. Saving of Bloomsbury-square Act, 46 Geo. 3, c. 134.
7. One Police Commissioner may act.
8. This act to be construed with 6 & 7 Vict. c. 86.
9. Commencement of this act.
10. Act may be amended &c.

CAP. VIII.

An Act to authorise the Inclosure of certain Lands in Pursuance of the Fifth Annual General Report of the Inclosure Commissioners for England and Wales, and to confirm the Proceedings in the Matter of the Common Wood Inclosure.
[17th May, 1850.]

Sect. 1. Inclosures mentioned in schedule may be proceeded with.

2. Proceedings in the matter of common wood inclosure confirmed.

3. Short title.

CAP. IX.

An Act to repeal the Duties and Drawbacks of the Excise on Bricks.
[17th May, 1850.]

CAP. X.

An Act for raising the Sum of Nine Millions two hundred thousand Pounds by Exchequer Bills, for the Service of the Year 1850.
[17th May, 1850.]

CAP. XI.

An Act to make better Provision for the Contributions of Unions and Parishes in School Districts to the common Funds of the respective Districts.
[17th May, 1850.]

CAP. XII.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Persons respectively.
[17th May, 1850.]

CAP. XIII.

An Act to render more simple and effectual the Titles by which Congregations or Societies associated for Purposes of Religious Worship or Education in Scotland hold Real Property required for such Purposes.
[17th May, 1850.]

CAP. XIV.

An Act to authorise a further Advance of Money to certain distressed Poor-law Unions, and to make Provision for the Repayment of Advances made and authorised to be made to Poor-law Unions and other Districts in Ireland.
[17th May, 1850.]

CAP. XV.

An Act to authorise the Establishment of Courts of Appeal for certain of her Majesty's West India Colonies.
[31st May, 1850.]

Sect. 1. Her Majesty to establish a court of appeal for any of the islands comprised in the commission of the Governor of Antigua, on due provision being made for the establishment and maintenance of such courts.

2. Her Majesty may establish a court of appeal for all or any of the islands comprised in the commission of the Governor of Barbadoes.

3. Jurisdiction of court may be extended over the islands not originally subject to it.

4. Jurisdiction may be exercised under acts of colonial legislature by the courts when sitting beyond the limits of a colony.

5. Jurisdiction may be varied by acts of colonial legislature.

6. Appeal to her Majesty in Council.

7. 6 & 7 Will. 4, c. 17, not to be affected.

8. Act may be amended &c.

CAP. XVI.

An Act to enable the Judges of the Courts of Common Law at Westminster to alter the Forms of Pleading.
[31st May, 1850.]

Whereas by an act of the 3 & 4 Will. 4, [c. 42.] and an act of the 1 & 2 Vict. [c. 106.] powers were given to the judges of the superior courts of common law at Westminster to make (within periods which have expired) alterations in the forms of pleading: and whereas it is desirable that powers should be given to the said judges, within such time and under such limitations as hereinafter expressed, to make such further alterations in pleadings as they may deem expedient, and such other alter-

tions as hereinafter mentioned: be it therefore enacted &c., that the judges of the said superior courts, or any eight or more of them, of whom the chiefs of each of the said courts shall be three, shall and may, by any rule or order to be from time to time by them made in term or vacation, at any time within five years after the passing of this act, make such alterations in the mode of pleading in the said courts, and in the mode of entering and transcribing pleadings, judgments, and other proceedings in actions at law, and in the time and manner of objecting to errors in pleadings and other proceedings, and in the mode of verifying pleas and obtaining final judgment without trial in certain cases, and such regulations as to the payment of costs, and otherwise for carrying into effect the said alterations, as to them may seem expedient; and all such rules, orders, or regulations shall be laid before both houses of Parliament, if Parliament be then sitting, immediately upon the making of the same, or if Parliament be not sitting, then within five days after the next meeting thereof; and no such rule, order, or regulation shall have effect until three months after the same shall have been so laid before both houses of Parliament; and any rule, order, or regulation so made shall, from and after such time aforesaid, be binding and obligatory on the said courts and all other courts of common law, and on all courts of error into which the judgments of the said courts or any of them shall be carried by any writ of error, and be of the like force and effect as if the provisions contained therein had been expressly enacted by Parliament: provided always, that it shall be lawful for the Queen's most excellent Majesty, by any proclamation inserted in the London Gazette, or for either of the houses of Parliament by any resolution passed at any time within three months next after such rules, orders, and regulations shall have been laid before Parliament, to suspend the whole or any part of such rules, orders, or regulations, and in such case the whole, or such part thereof as shall be so suspended, shall not be binding and obligatory on the said courts, or on any other court of common law or court of error.

CAP. XVII.

An Act to amend an Act of the last Session of Parliament for granting Relief against Defects in Leases made under Powers of Leasing. [31st May, 1850.]

Sect. 1. 12 & 13 Vict. c. 26, s. 3, repealed.

2. Where there is a Note in Writing showing Intent to confirm, Acceptance of Rent to be deemed a Confirmation.

3. Where Reversioner is able and willing to confirm, Lessee to accept Confirmation.

4. Act may be amended &c.

Whereas by an act passed in the last session of Parliament, "for granting Relief against Defects in Leases made under Powers of Leasing in certain Cases;" and by another act of the same session the operation of the said first-recited act was suspended until the 1st June, 1850: and whereas it is expedient that the said first-recited act should be amended: be it therefore enacted &c., that so much of the said first-recited act as enacts that the acceptance of rent under any such invalid lease as therein mentioned shall, as against the person accepting the same, be deemed a confirmation of such lease, shall be repealed.

2. That where, upon or before the acceptance of rent under any such invalid lease, as in the said first-recited act mentioned, any receipt, memorandum, or note in writing, confirming such lease, is signed by the person accepting such rent, or some other person by him thereunto lawfully authorised, such acceptance shall, as against the person so accepting such rent, be deemed a confirmation of such lease.

3. That where during the continuance of the possession taken under any such invalid lease, as in the said first-recited act mentioned, the person for the time being entitled (subject to such possession as aforesaid) to the hereditaments comprised in such lease, or to the possession or the receipt of the rents and profits thereof, is able to confirm such lease without variation, the lessee, his heirs, executors, or administrators, (as the case may require), or any person who would have been bound by the lease if the same had been valid, shall, upon the request of the person so able to confirm the same, be bound to accept confirmation accordingly; and such confirmation may be by memorandum or note in writing, signed by the persons confirming and accepting respectively, or by some other persons by them respectively lawfully authorised; and after

confirmation and acceptance of confirmation such lease shall be valid, and shall be deemed to have had from the granting thereof the same effect as if the same had been originally valid.

4. That this act may be amended or repealed by any act to be passed in this session of Parliament.

CAP. XVIII.

An Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland.

[31st May, 1850.]

Sect. 1. Process for commencement of personal actions shall be according to form in schedule, and be called "writ of summons."

2. Residence and description of parties to be mentioned in writ. Writ may be served anywhere, and remain in force four months.

3. No writ of summons to be invalid on account of verbal or technical error or omission.

4. Act not to affect 3 & 4 Vict. c. 105.

5. Mode of appearance.

6. Days for appearing to run in vacation as well as in term. Provision as to holidays.

7. In default of appearance, on personal service being proved, plaintiff may enter an appearance.

8. Mode of service in cases against corporations, &c.

9. Courts may direct substitution of service.

10. This act shall extend to actions of replevin and ejectment.

11. Action of replevin to be commenced by writ of summons. Particulars to be stated in writ. Service of writ.

12. Plaintiff in such action may sue out of the same court a writ of replevin. Form of writ to be settled by judges. Sheriff, upon security being given, to execute and return writ within eight days. Value of property to be ascertained as heretofore, and bail bond to be assignable.

13. Provision for removal of replevin suits from inferior to superior courts.

14. Writs to be in such form as judges shall direct.

15. Action of ejectment shall be commenced by writ of summons. Particulars to be stated in writ. Service of writ.

16. Proceedings after appearance in replevin and ejectment. Judges to make regulations as to declarations and proceedings in ejectment.

17. Proceedings where defendant does not appear.

18. Judges to settle upon and approve of a simple form of declaration to be hereafter used in all actions.

19. Costs in cases of judgment by default.

20. Writs of every description may be tested and returnable in vacation as well as in term.

21. And writs of execution may be directed to sheriff of any county without regard to venue in pleadings.

22. Rules shall issue and run in vacation as well as in term time.

23. Holidays.

24. Courts may hold sittings in vacation. Such sitting to be holden by order published with week's notice. Judgments and orders to have same effect as if made in term.

25. Judges to establish uniformity of practice by a general order. Code to be agreed upon by judges, and be the uniform practice. Proviso for alteration or amendment of code.

26. Every judge of either court may try issues and make orders in chamber in business depending in any of the courts.

27. Consolidated Court of Nisi Prius for the trial of issues arising in any superior courts.

28. Such court to sit continuously.

29. Officers of consolidated Nisi Prius Court.

30. Appeals to be heard by consolidated Nisi Prius Court.

31. Unequal distribution of business to be remedied. Writ and Appearance and Seal offices to be consolidated.

32. Chief Justices to select Clerks of Writs and assistants from amongst those now similarly employed; such Clerk of Writs and assistants to have same powers, &c. as under 7 & 8 Vict. c. 107.

33. Future appointments to be made as herein directed.

34. Clerk of the Writs not to take affidavits, or receive and file returned writs.

35. Officers now in Writ offices not included in consolidated office to cease to be such officers, &c.

36. Office of chief clerk of Court of Exchequer abolished, and one clerk only to be appointed. Clerk to be paid in future by salary, as in the other courts.

37. Compensation to persons affected by act.
38. Writs for commencement of actions to be issued in rotation for the several courts.
39. No plea in abatement on ground of privilege to be valid.
40. One common seal to be used for the three courts.
41. All pleadings, &c. to be of uniform shape and dimensions. Judges to fix the shape and dimensions of pleadings, &c.
42. Officers to file pleadings, &c. after the manner of books. When judgment to be made up, attorney to deliver to officer a summary of pleadings; and officer to put pleadings together on judgment file as the permanent record.
43. It shall not be necessary to transcribe the whole pleadings on the judgment roll, or to insert continuances, &c., but only a summary or recital, &c. No judgment to be disturbed on the ground of error, on account of omissions hereby authorised. Proviso for cases of writs of error, &c.
44. On filing any pleading, affidavit, &c., copy must be delivered with the notice, and, except in certain cases, attested copy shall not be necessary.
45. Expenses certified as proper to be paid as part of incidental expenses.
46. Commissioners for taking affidavits in one court shall be commissioners for all the law courts.
47. And hereafter shall be appointed by Court of Queen's Bench.
48. As to disqualification of commissioners.
49. Commencement of act.
50. Schedule to be part of this act.
51. Interpretation of act.
52. Act may be amended, &c.

CAP. XIX.

An Act to explain and amend an Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland. [10th June, 1850.]

- Sect. 1. The words "Trinity Term" in recited act to mean Trinity Term, 1850.
2. Provision as to costs in sect. 19 of recited act to apply only to cases herein specified.
3. Commencement of act.

CAP. XX.

An Act to amend an Act of the Fifth and Sixth Years of her present Majesty, for the Appointment and Payment of Parish Constables. [10th June, 1850.]

CAP. XXI.

An Act for shortening the Language used in Acts of Parliament. [10th June, 1850.]

- Sect. 1. *Acts of Parliament may be altered, &c. in the same Session.*
2. *Acts of Parliament to be divided into Sections, without introductory Words.*
3. *Where any Act is referred to it shall be sufficient to cite the Year of the Reign, Chapter, and Section, &c.*
4. *Interpretation of certain Words for future Acts.*
5. *Repealed Acts not to be revived in Virtue of the Repeal of the repealing Act.*
6. *Repealed Provisions of any Act to remain in Force until the substituted Provisions come into Force.*
7. *Acts to be deemed Public Acts.*
8. *Commencement of Act.*

Be it declared and enacted &c., that every act to be passed after the commencement of this act may be altered, amended, or repealed in the same session of Parliament, any law or usage to the contrary notwithstanding.

2. That all acts shall be divided into sections, if there be more enactments than one, which sections shall be deemed to be substantive enactments, without any introductory words.

3. That in any act, when any former act is referred to, it shall be sufficient, if such act was made before the seventh year of Henry VII, to cite the year of the King's reign in which it was made, and where there are more statutes than one in the same year the statute, and where there are more chapters than one the chapter; and if such act referred to was made after

the fourth year of Henry VII, to cite the year of the reign, and where there are more statutes or sessions than one in the same year the statute or the session, (as the case may require), and where there are more chapters or sections than one the chapter or section or chapter and section, (as the case may require), without reciting the title of such act, or the provision of such section, so referred to; and the references in all cases shall be made according to the copies of statutes printed by the Queen's printer, or to the copies thereof contained in the reports of the Commissioners of Public Records: provided that where it is only intended to amend or repeal any portion only of such section it shall be necessary still either to recite such portion or to set forth the matter or thing intended to be amended or repealed.

4. That in all acts words importing the masculine gender shall be deemed and taken to include females, and the singular to include the plural, and the plural the singular, unless the contrary as to gender or number is expressly provided; and the word "month" to mean calendar month, unless words be added shewing lunar month to be intended; and "county" shall be held to mean also county of a town or of a city, unless such extended meaning is expressly excluded by words; and the word "land" shall include messuages, tenements, and hereditaments, houses and buildings, of any tenure, unless where there are words to exclude houses and buildings, or to restrict the meaning to tenements of some particular tenure; and the words "oath," "swear," and "affidavit" shall include affirmation, declaration, affirming, and declaring, in the case of persons by law allowed to declare or affirm instead of swearing.

5. That where any act repealing in whole or in part any former act is itself repealed, such last repeal shall not revive the act or provisions before repealed, unless words be added reviving such act or provisions.

6. That wherever any act shall be made repealing in whole or in part any former act, and substituting some provision or provisions instead of the provision or provisions repealed, such provision or provisions so repealed shall remain in force until the substituted provision or provisions shall come into operation by force of the last-made act.

7. That every act made after the commencement of this act shall be deemed and taken to be a public act, and shall be judicially taken notice of as such, unless the contrary be expressly provided and declared by such act.

8. That this act shall commence and take effect from and immediately after the commencement of the next session of Parliament.

CAP. XXII.

An Act for raising the Sum of Eight Millions five hundred and fifty-eight thousand seven hundred Pounds by Exchequer Bills, for the Service of the Year 1850. [10th June, 1850.]

CAP. XXIII.

An Act to repeal an Exception in an Act of the twenty-seventh Year of King Henry VI concerning the Days whereon Fairs and Markets ought not to be kept. [10th June, 1850.]

CAP. XXIV.

An Act to enable the Commissioners of Greenwich Hospital to improve the said Hospital, and also to enlarge and improve the Billingsgate Dock, and widen Billingsgate-street in Greenwich; and for other Purposes. [25th June, 1850.]

CAP. XXV.

An Act to enable Queen's Counsel and others, not being of the Degree of the Coif, to act as Judges of Assize. [25th June, 1850.]

Be it enacted &c., that any person being one of her Majesty's counsel learned in the law, or being a barrister-at-law having a patent of precedence, may be named in any commission for the dispatch of civil or criminal business at any county or place, or upon any circuit in England and Wales, or either of them, although such person be not of the degree of the coif; and any such person shall and may, under any commission in which he shall be so named, be and act as a judge or commissioner of assize, as fully to all intents and purposes as if, at

the time of the issuing of such commission, and since, he had been of the degree of the coif; any law, custom, or usage to the contrary notwithstanding.

CAP. XXVI.

An Act to repeal an Act of the Sixth Year of King George the Fourth, for encouraging the Capture or Destruction of Piratical Ships and Vessels, and to make other Provisions in Lieu thereof. [25th June, 1850.]

CAP. XXVII.

An Act to provide for the Commencement of an Act of the present Session, intituled "An Act to repeal an Act of the Sixth Year of King George the Fourth, for encouraging the Capture or Destruction of Piratical Ships and Vessels, and to make other Provisions in Lieu thereof." [15th July, 1850.]

CAP. XXVIII.

An Act to render more simple and effectual the Titles by which Congregations or Societies for Purposes of Religious Worship or Education in England and Ireland hold Property for such Purposes. [15th July, 1850.]

CAP. XXIX.

An Act to amend the Laws concerning Judgments in Ireland. [15th July, 1850.]

- Sect. 1. Recited provisions not to extend to judgments, decrees, &c., entered or made after passing of this act.
 2. Existing judgments, &c. not to affect land purchased after passing of this act.
 3. Judgments, &c. already registered to be re-registered within five years after passing of this act.
 4. All judgments, &c. registered or re-registered after the passing of this act to be re-registered every five years.
 5. Lis pendens not to affect purchasers, &c., unless registered within five years before execution of conveyance, &c.
 6. Creditors under judgments, decrees, &c. entered up or made after passing of act may file affidavit of ownership of lands, and register same in office for registering deeds, and creditors under judgments, decrees, &c. entered up or made before passing of act may file and register a like affidavit in respect of lands purchased after passing of act.
 7. Registration of affidavit to have the effect of a mortgage.
 8. Voluntary conveyances after judgment entered up void as against the creditor. Not to affect provisions as to fraudulent conveyances.
 9. Registrar of deeds, upon lodgment of certificate of satisfaction of judgment, &c., to enter memorandum thereof upon entries of affidavit.
 10. Act not to affect execution by fieri facias.
 11. Rights of judgment creditor in administration of assets preserved.
 12. 3 & 4 Vict. c. 105, s. 22, not to extend to interests created by securities for money.
 13. Act may be amended &c.

CAP. XXX.

An Act to provide for the Appointment of Sheriff of the County of Westmoreland. [15th July, 1850.]

CAP. XXXI.

An Act to authorise further Advances of Money for Drainage and the Improvement of Landed Property in the United Kingdom, and to amend the Acts relating to such Advances. [15th July, 1850.]

- Sect. 1. Treasury may advance 2,000,000*l.* for improvement of landed property in Great Britain, and 200,000*l.* for Ireland.
 2. The sums to be advanced for Great Britain to be applied to loans under 9 & 10 Vict. c. 101, and the acts amending the same.
 3. The money to be advanced for Ireland to be applied to loans under 10 & 11 Vict. c. 32, and the amending act.
 4. Inclosure commissioners may authorise application of advances to other works than those mentioned in provisional certificate.
 5. Loans to the same owner in Great Britain restricted to 5000*l.*

6. Persons under disabilities.

7. Act to be construed with 9 & 10 Vict. c. 101.

8. Loans may be made for the erection of farm buildings in Ireland.

9. Commissioners may fix a time for completion of works, not exceeding five years from the first advance.

10. Loans to the same owner in Ireland restricted to 5000*l.*

11. Treasury may advance 800,000*l.* for drainage and works of public utility in Ireland.

12. Provisions of existing acts extended to this act.

13. Provisions of 9 & 10 Vict. c. 101, to apply to Exchequer Bills issued under this act.

14. Act may be amended &c.

CAP. XXXII.

An Act for confirming certain Provisional Orders of the General Board of Health. [15th July, 1850.]

CAP. XXXIII.

An Act to make more effectual Provision for regulating the Police of Towns and populous Places in Scotland, and for paving, draining, cleansing, lighting, and improving the same. [15th July, 1850.]

CAP. XXXIV.

An Act to continue certain Acts for regulating Turnpike-roads in Ireland. [15th July, 1850.]

(To be continued).

London Gazette.

TUESDAY, SEPTEMBER 17.

BANKRUPTS.

JAMES BENSLEY LARKE, Norwich, draper, dealer and chapman, Sept. 27 at 11, and Oct. 29 at half-past 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Ashurst & Son, 6, Old Jewry, London.—Petition filed Sept. 3.

JOHN SAVILL, Saint Neot's, Huntingdonshire, draper, dealer and chapman, Sept. 27 at 1, and Nov. 12 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. E. & E. Foster, Cambridge; J. & C. Cols, 4, Adelphi-terrace, Strand.—Petition filed Sept. 6.

ABRAHAM SOLOMONS, Basinghall-street, London, merchant, dealer and chapman, Oct. 4 at 11, and Nov. 5 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Lawrance & Plews, 14, Old Jewry-chambers, Old Jewry.—Petition filed Sept. 12.

JOSEPH TURNER, Eastbourne, Sussex, draper and grocer, dealer and chapman, Oct. 4 at half-past 2, and Oct. 29 at half-past 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. J. & J. H. Linklater, 1, Charlotte-row, Mansion-house; Sols. & Turner, 68, Aldermanbury.—Petition filed Sept. 11.

ELIAS MARCUS, Vincent-st., Carr-st., Limehouse, and Stepney, Middlesex, builder, dealer and chapman, Sept. 27 and Nov. 12 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Marten & Co., 31 and 35, Commercial Sale-rooms, Mincing-lane.—Petition filed Sept. 6.

EDWARD PALFREY SIMMONDS, late of Redditch, Worcestershire, but now of Highgate, near Birmingham, Warwickshire, commercial traveller, Sept. 28 and Nov. 4 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Slansy, Birmingham.—Petition dated Sept. 11.

MEETINGS.

John Burgess Nunn, Colchester, Essex, and Ipswich, Suffolk, tailor, Oct. 4 at 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be granted, unless an Appeal be duly entered.

Thomas Spratt, Sloane-terrace, Sloane-square, St. Luke's, Chelsea, Middlesex, coachmaker.—H. Blein and C. Thomas Pearce, Vauxhall-gardens, Vauxhall, Surrey, wine merchants.—W. F. Newton, Dover-st., Piccadilly, Middlesex, milliner.—William Skinner, High-st., Aldgate, London, clothier.—George Burnett Abelson, Portsmouth, Southampton, coal merchant.—James W. Hickling, Mann's-wharf, Montague-

close, Surrey, wharfinger.—*Edward B. Thomas*, Leominster, Herefordshire, wine merchant.—*Joseph Boycot*, Kidderminster, Worcestershire, draper.

SOURCE SEQUESTRATIONS.

Francis Platen Denovan, jun., Grangemouth, ship-broker.—*David Clark*, Elgin, merchant.—*Robert Hope*, Edinburgh, baker.—*Wm. Marshall*, Edinburgh, artist.—*Alan Robertson*, Dundee, salmon fisher.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edward Cope, Bristol, attorney, Oct. 23 at 11, County Court of Gloucestershire, at Bristol.—*Robert Stocker*, Bristol, in no trade, Oct. 23 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Eltery*, Bristol, bell-hanger, Nov. 6 at 11, County Court of Gloucestershire, at Bristol.—*John Lock Millerd*, Bristol, baker, Nov. 13 at 11, County Court of Gloucestershire, at Bristol.—*George Higgins*, Huddersfield, Yorkshire, coachmaker, Sept. 27 at 10, County Court of Yorkshire, at Huddersfield.—*Philip Nicholas*, Boswarthen, Sancreed, Cornwall, grocer, Oct. 9 at 10, County Court of Cornwall, at Penzance.—*Thomas Hargreaves*, Neath, Glamorganshire, attorney-at-law, Sept. 21 at 10, County Court of Glamorganshire, at Neath.

Saturday, Sept. 14.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

John Day, King-street, Soho, Middlesex, assistant to an eating-house keeper: in the Debtors Prison for London and Middlesex.—*John Woodroff*, Greek-street, Soho, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*James Smith*, Seven-step-court, Bethnal-green, Middlesex, labourer: in the Debtors Prison for London and Middlesex.—*John Peckett*, Charles-street, Hatton-garden, Middlesex, commercial traveller: in the Debtors Prison for London and Middlesex.—*Fanny S. Dunston*, Liverpool-st., King's-cross, Middlesex, gentlewoman: in the Queen's Prison.—*Jas. Stride*, Oxford-terrace, King's-road, Chelsea, Middlesex, coal merchant: in the Queen's Prison.—*Charles Edw. Schoeller*, Grafton-street East, Tottenham-court-road, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*William Norris*, Stanhope-street, Hampstead-road, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Thomas Booth*, Cheetham, Manchester, grocer: in the Gaol of Lancaster.—*James Cassidy*, Manchester tailor: in the Gaol of Manchester.—*Edward Daniel*, Liverpool, attorney's clerk: in the Gaol of Lancaster.—*Thomas Fielding*, Blackburn, Lancashire, joiner: in the Gaol of Lancaster.—*Thomas Lang*, South Petherwin, Cornwall, farmer: in the Gaol of Bodmin.—*John Parsons*, Liverpool, grocer: in the Gaol of Lancaster.—*Miles Potter*, Leyland, near Chorley, Lancashire, joiner: in the Gaol of Lancaster.—*Robert David Rogers*, Southsea, Hampshire, beer-shop keeper: in the Gaol of Portsmouth.—*Wm. Henry Jones*, Kidderminster, Worcestershire, carpet manufacturer: in the Gaol of Worcester.—*T. Perks*, Birmingham, builder: in the Gaol of Coventry.—*M. Siggs*, Birmingham, horse dealer: in the Gaol of Warwick.—*A. A. Younge*, Ballal-leath, Worcestershire, pensioner on her Majesty's Civil List: in the Gaol of Bristol.—*H. Fenny*, North Shields, Northumberland, innkeeper: in the Gaol of Morpeth.—*Thomas Goddard*, Ramsbury, Wiltshire, tanner: in the Gaol of Fisherton Anger.—*Edward Powell*, Hendon, Llowes, Radnorshire, farmer: in the Gaol of Presteign.—*W. Uglow*, Week St. Mary, Cornwall, farmer: in the Gaol of Bodmin.—*Matthew Brown*, Bighton, Derbyshire, out of business: in the Gaol of Derby.—*Joseph Chatwin*, Birmingham, lamp manufacturer: in the Gaol of Coventry.—*T. Fenwick* the younger, Rainton-gate, near West Rainton, Durham, mason: in the Gaol of Durham.—*James Moore*, Liverpool, grocer: in the Gaol of Lancaster.—*Joseph Stevenson* the younger, Springthorpe, near Gainsborough, Lincolnshire, assisting a farmer: in the Gaol of Lincoln.—*Jeremiah Uyat*, Crowland, Lincolnshire, sheep salesman: in the Gaol of Lincoln.—*Wm. Wright*, Blackheath, Kent, barrister-at-law: in the Gaol of Maidstone.

(On Creditor's Petition).

Thomas Ancell, Torpoint, Anthony St. Jacob, Cornwall, superannuated inspector of shipwrights: in the Gaol of Bodmin.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Oct. 1 at 10, before Mr. Commissioner LAW.

Codish Terski, King-street, Camden-town, Middlesex, journeyman.—*Stephen Bath* the elder, High-street, Wapping, Middlesex, coal merchant.—*Christopher Ibberon*, Eke-street, Upper Kennington-lane, Surrey, clerk to the South-western Railway Company.—*Charles Alexander Mortimer*, Wilmington-square, Middlesex, gentleman.—*James Broad*, Newcastle-street, High-street, Whitechapel, Middlesex, licensed victualler.

Oct. 1 at 11, before Mr. Commissioner PHILLIPS.

Thomas Woodsell Booth, Providence-row, Finsbury, Middlesex, out of business.—*George Groom*, Pearson-street, Kingland-road, Middlesex, carver and gilder.

Oct. 2 at 11, before the CHIEF COMMISSIONER.

William Willmott, West Ham, Essex, out of business.

Oct. 2 at 10, before Mr. Commissioner LAW.

Charles Richard Carter, De Beauvoir-square, Kingland, Middlesex, commission agent.—*George Raven*, Grove-cottage, Frognaal, Hampstead, Middlesex, shoemaker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cornwall, at BODMIN, Oct. 2 at 10.
William Uglow, Ponghill, farmer.—*Thomas Lang*, South Petherwin, farmer.

At the County Court of Essex, at CHELMSFORD, Oct. 3.
George Parris, Chipping Ongar, innkeeper.

At the County Court of Gloucestershire, at BRISTOL, Oct. 2 at 11.

Thomas Lee, Bristol, in no business.

At the County Court of Devonshire, at EXETER, Oct. 5 at 10.

Paryon Weeks, Plymouth, brushmaker.

At the County Court of Gloucestershire, at GLOUCESTER, Oct. 14 at 10.

Charles Simmons, Awre, near Newnham, sub-contractor.

At the County Court of Kent, at MAIDSTONE, Oct. 1.

William Bassett, Marylebone-hill, Minster, Isle of Sheppey, labourer.—*William Wright*, Lloyd-place, Blackheath, barrister-at-law.—*Mary Finchley*, widow, Plumstead, out of business.

INSOLVENT DEBTOR'S DIVIDEND.

Joseph Moss, Lancaster, builder: 4s. 5½d. in the pound. Jackson's, Lancaster.

MEETING.

Richard Leocy, Coraduan-farm, near Winchcomb, Gloucestershire, farmer, Oct. 3 at 3, Winterbotham & Bell's, Cheltenham, sp. aff.

FRIDAY, SEPTEMBER 20.

BANKRUPTS.

RICHARD WILSON JEWISON and EDWARD ATKINSON, Charlotte-terrace, New-cut, Lambeth, Surrey, linendrapers, dealers and chapmen, (trading together in co-partnership under the style or firm of Jewison & Atkinson), Oct. 3 and Nov. 7 at 12, Court of Bankruptcy, London: Off. Am. Johnson; Sol. Depree, 9, Lawrence-lane.—Petition dated Sept. 16.

FREDERICK VINES, South-street, Greenwich, Kent, and **THOMAS KITELEE**, Chesham, Buckinghamshire, millers and corn factors, dealers and chapmen, (both lately carrying on business at Steam-mills, East Greenwich, Kent, under the style or firm of Frederick Vines & Co.), Oct. 4 at 2, and Nov. 12 at 11, Court of Bankruptcy, London: Off. Am. Groom; Sol. J. & J. H. Lankaster, 1, Charlotte-row, Mansion-house.—Petition filed Sept. 11.

GEORGE WALKER, Philpot-lane, London, merchant, dealer and chapman, Sept. 30 at half-past 12, and Oct. 31 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Messrs. Hillcary, 63, Fenchurch-st.—Petition dated Sept. 18.

HENRY WARD FARRER, Old Fish-street, London, wine merchant, Sept. 30 at half-past 11, and Oct. 31 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Wilde & Co., College-hill, Thames-street.—Petition dated Sept. 17.

JAMES BENNETT, formerly of Chenies-st., Tottenham-court-road, but now of Hay-hill, Berkeley-square, both in Middlesex, builder and carpenter, dealer and chapman, Oct. 8 at half-past 1, and Nov. 13 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. J. & J. H. Linklater, 1, Charlotte-row, Mansion-house.—Petition filed Sept. 17.

WILLIAM PIKE, Reading, Berkshire, tobacconist, dealer and chapman, Oct. 8 at half-past 11, and Nov. 13 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. J. & J. H. Linklater, 1, Charlotte-row, Mansion-house.—Petition filed Sept. 14.

WILLIAM HUNTLEY, Hart-st., Covent-garden, Middlesex, licensed victualler, Oct. 8 and Nov. 13 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Stanley, 37, Gerrard-street, Soho.—Petition filed Sept. 18.

SAMUEL FRANCE, Bradford, Yorkshire, grocer and tea dealer, dealer and chapman, Oct. 1 and 22 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Caris & Cudworth, Leeds.—Petition dated Sept. 17.

BENJAMIN HOPKINSON BATES, Liverpool, merchant, Oct. 2 and 22 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sol. Holden, Liverpool.—Petition filed Sept. 14.

JAMES ATKINSON, Newcastle-upon-Tyne, victualler and tavern-keeper, Sept. 26 and Oct. 29 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Bowas, Newcastle-upon-Tyne; Burn, 14, Great Carter-lane, Doctors'-commons, London.—Petition filed Sept. 9.

MEETINGS.

John Crosthwaite, Liverpool, merchant, Oct. 1 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*Thomas Wood*, Tunbridge, Kent, miller, Oct. 17 at 12, Court of Bankruptcy, London, last ex.—*John Griffiths*, Strand, Middlesex, linen-draper, Oct. 17 at 12, Court of Bankruptcy, London, and. ac.; Oct. 18 at 12, div.—*William Thomas Hearn*, Portsmouth, Southampton, licensed victualler, Oct. 3 at 11, Court of Bankruptcy, London, and. ac.—*Edward M'Leod*, Haberdasher-street, Hoxton, Middlesex, common brewer, Oct. 11 at 11, Court of Bankruptcy, London, and. ac.—*Gilbert Finlay Girdwood*, Maida-hill, Middlesex, chemist, Oct. 17 at 11, Court of Bankruptcy, London, and. ac.—*Richard Myddelton Lloyd*, Wrexham, Denbighshire, banker, Oct. 14 at 11, District Court of Bankruptcy, Liverpool, and. ac.; Oct. 22 at 11, div.—*George Kyrle*, Bryn Malley, Wrexham, Denbighshire, lime-burner, Oct. 14 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*John Tomkinson*, Liverpool, and Runcorn, Cheshire, stonemason, Oct. 14 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Fred Dunn Barker*, Cambridge, banker, Oct. 11 at 11, Court of Bankruptcy, London, div.—*Thomas Barrett*, Oxford, timber merchant, Oct. 11 at 1, Court of Bankruptcy, London, div.—*John Gilligan*, Ham, Surrey, baker, Oct. 21 at 11, Court of Bankruptcy, London, div.—*George Andrews*, King's Lynn, Norfolk, grocer, Oct. 21 at half-past 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Edward M'Leod, Haberdasher-street, Hoxton, Middlesex, common brewer, Oct. 11 at 11, Court of Bankruptcy, London.—*Gilbert Finlay Girdwood*, Maida-hill, Middlesex, chemist, Oct. 17 at 11, Court of Bankruptcy, London.—*James Corbett*, Lantillio Pertholey, Monmouthshire, miller, Oct. 15 at 12, District Court of Bankruptcy, Bristol.

To be granted, unless an Appeal be duly entered.

Thomas Garrett, Stowmarket, Suffolk, coachmaker.—*Chas. Fred. Burton*, North Audley-st., Grosvenor-square, Middlesex, auctioneer.—*James Woods*, Conduit-street, Bond-street, Middlesex, tailor.—*Wm. Foster Newton*, Dover-st., Piccadilly, Middlesex, milliner.—*Wm. Jackson*, Lichfield, wine

merchant.—*John Stormont* and *William Stormont*, Shifnal, Shropshire, iron manufacturers.

FIAT ANNULLED.

William Ash, Henry-street, Hampstead-road, Middlesex, plumber.

SCOTCH SEQUESTRATIONS.

Alex. Hector, Kirkside, St. Cyrus, near Montrose, salmon fisher.—*Alexander Green*, Aberdeen, saddler.—*James Smith*, Esq., Glasgow, deceased.—*John Hood*, Paisley, brasier.—*Robert Harris*, Glasgow, shawl warehouseman.—*George M'Kemie*, deceased, Glasgow, miller.—*James Paterson*, Edinburgh, printer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Francis Dodgson, Sheffield, Yorkshire, butcher, Oct. 2 at 12, County Court of Yorkshire, at Sheffield.—*W. Barradell*, Burslem, Staffordshire, grocer, Sept. 26 at 10, County Court of Staffordshire, at Hanley.—*Thomas Philip Daniell*, Castle Cary, Somersetshire, stationer, Oct. 7 at 1, County Court of Somersetshire, at Wincanton.—*Wm. Fairburn*, Wednesbury, Staffordshire, out of business, Oct. 2 at 1, County Court of Staffordshire, at Oldbury.—*John Hoile*, Brighton, Sussex, basket maker, Oct. 11 at 1, County Court of Sussex, at Brighton.—*John Dewhurst*, Trawden, Colne, Lancashire, shopkeeper, Oct. 9 at 11, County Court of Lancashire, at Colne.—*Samuel Hull*, Braunston, near Daventry, Northamptonshire, in no business, Oct. 28 at 11, County Court of Northamptonshire, at Daventry.—*John Wheatley*, Leicester, currier, Oct. 17 at 10, County Court of Leicestershire, at Leicester.—*S. Sprod*, Bristol, upholsterer, Nov. 13 at 11, County Court of Gloucestershire, at Bristol.—*Theodore J. Townsend*, Bristol, leather breeches maker, Nov. 20 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Holder*, Bristol, brewer, Nov. 13 at 11, County Court of Gloucestershire, at Bristol.—*Henry Clear*, Great Bookham, Surrey, wheelwright, Oct. 12 at 11, County Court of Surrey, at Epsom.—*Joseph Gardner*, Dudley, Worcestershire, licensed victualler, Oct. 3 at 3, County Court of Worcestershire, at Dudley.—*Thos. Urwick*, Dudley, Worcestershire, assistant to a grocer, Oct. 3 at 3, County Court of Worcestershire, at Dudley.—*W. H. Smith*, Dudley, Worcestershire, shoe manufacturer, Oct. 3 at 3, County Court of Worcestershire, at Dudley.—*John Heald*, Butterley, Kirkburton, Yorkshire, general dealer, Oct. 7 at 11, County Court of Yorkshire, at Holmfirth.—*James Keys*, Scissett, High Hoyland, and Emley, Yorkshire, joiner, Oct. 7 at 11, County Court of Yorkshire, at Holmfirth.—*Thomas Rhodes*, Holmfirth, Yorkshire, machine maker, Oct. 7 at 11, County Court of Yorkshire, at Holmfirth.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Sussex, at LEWES, Oct. 8.

John Storry, Beard's-farm, Wartling, out of business.

At the County Court of Gloucestershire, at BRISTOL, Oct. 2 at 11.

Francis West, Bristol, out of business.

At the County Court of Lancashire, at MANCHESTER, Oct. 4 at 1.

Francis Maddock, Hulme, Manchester, shoemaker.

At the County Court of Denbighshire, at RUTHIN, Oct. 7 at 11.

John Humphreys, Llanallin, shoemaker.

At the County Court of Devonshire, at EXETER, Oct. 5 at 10.

Richard Fry, Alphington, butcher.—*Wm. H. Woodgate*, Plymouth, furniture broker.—*Thos. Dunn*, Tavistock, mining agent.—*Robert Geo. Summers*, Plymouth, painter.—*James Mussy*, Plymouth, commission agent.

MEETING.

Richard Parkinson the younger, Barkholm, near Stamford, Lincolnshire, farmer, Oct. 10 at 11, Talbot Inn, Oundle, sp. ad.

THE STAMP ACT AND TRUSTEE ACT, 1850.

In a few days will be published,
A SUPPLEMENT TO BYTHEWOOD & JARMAN'S CONVEYANCING, Vol. 9. By GEORGE SWEET, Esq. Containing some additional Precedents, the Trustee Act, 1850, the Stamp Duties Act, 1850, with Notes; also a complete Table of Stamps, and an Index.

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The Jurist

No. 716—Vol. XIV. SEPTEMBER 28, 1850.

PRICE 1s.

* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

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LONDON, SEPTEMBER 28, 1850.

WE have some reason to believe that the full extent of the doctrine of the inalienability of a married woman's reversionary choses in action, however well known in the chambers of conveyancers, is not as generally understood as it is desirable that it should be; for although few deeds are now to be met with attempting simply the alienation of a married woman's reversionary interest in a *principal sum*, expectant on the decease of another person, it is not equally uncommon to find deeds purporting to assign all a married woman's equitable *life* interest in personalty, to or for the benefit of her husband. We shall not, therefore, be wasting the time of many of our readers, if we shortly refer to the authorities on this subject.

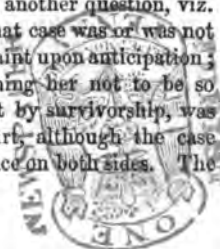
The cases in which the inalienability of a married woman's equitable reversionary interest in a principal fund, expectant on the decease of another person, (*Purdew v. Jackson*, 1 Russ. 1, and *Honner v. Morton*, 3 Russ. 65), was established, are too well known to require more than a mere reference to them; and since those cases, one scarcely ever (as we have observed) meets with the mistake of an assignment by husband and wife, of the wife's reversionary interest of that nature.

Since those cases, however, many, and some very elaborately contrived, attempts have been made to elude their doctrine, and by means of a supposed merger, or by other mystifications, so to deal with a married woman's reversionary interest, as to enable her effectually to deprive herself of it.

The first of these was *Story v. Tonge*, (7 Beav. 91), which was followed by various others, ending with *Hall v. Hugonin*, (14 Sim. 595), in which the late Vol. XIV. L L

Vice-Chancellor of England held, that by the contrivance of a surrender of the life interest to the married woman entitled to the reversion, she was enabled effectually to bar her right of survivorship. The doctrine of this case was, however, overruled by the still more recent decision of Lord Cottenham in *Whittle v. Henning*, (2 Ph. 731), which has, we conceive, finally settled, that no contrivance whatever will suffice to enable a married woman to bar her reversionary interest in personal estate.

The interest of the married woman was not, however, in *Whittle v. Henning*, a reversionary interest in the corpus of the fund, but a life interest therein, expectant on the decease of her husband. That case therefore, not only decided the point discussed in *Hall v. Hugonin*, but confirmed the decision on the point first raised in *Stiffe v. Everett*, (1 My. & C. 37), viz. that the estate which a married woman has in an annuity, or life interest in a personal fund, is reversionary as to so much as may accrue after the death of her husband, and is, as to such interest surviving to the wife if she outlives him, as much inalienable as a reversionary interest in the principal, expectant on the determination of a life estate. That the doctrine of the inalienability of a married woman's reversionary interest was not, before *Stiffe v. Everett* was decided, generally understood to be applicable to a life interest, may be collected from the circumstance, that in that case the argument turned entirely on another question, viz. whether the married woman in that case was or was not subjected to the fetters of a restraint upon anticipation; and the question whether, assuming her not to be so fettered, she could bar her right by survivorship, was left to be suggested by the Court, although the case was argued by counsel of eminence on both sides. The



doctrine, however, of *Stiffe v. Everett* was referred to, and expressly recognised and acted upon, in *Whittle v. Henning*; and it must now be considered fully settled, that the life interest of a married woman in personalty cannot, either by a simple assignment by her husband and herself, or by any other contrivance, be alienated, as to so much as may subsist of it, if she survives her husband.

PUBLIC GENERAL STATUTES.

13 & 14 VICTORIA.—SESSION 3.

(Continued from p. 337).

CAP. XXXV.

An Act to diminish the Delay and Expense of Proceedings in the High Court of Chancery in England.

[15th July, 1850.]

- Sect. 1. *Power to Persons interested in Questions cognisable in Court of Chancery to state special Cases for the Opinion of the Court.*
2. *How Lunatic may concur.*
 3. *How married Women may concur.*
 4. *How Infant may concur.*
 5. *How special Guardian to be appointed for a Lunatic not found such by Commission, and for Infant.*
 6. *Order to appoint special Guardian of an Infant may be discharged by Court if made without Notice.*
 7. *How such special Cases to be entitled.*
 8. *Form of special Case.*
 9. *Special Case to state how Guardian constituted, and the Concurrence of married Women.*
 10. *Special Cases to be signed by Counsel, and filed, and Appearances to be entered by Defendants.*
 11. *After a special Case filed, Parties to be bound by Statements after Defendants have appeared, except married Women, Infants, and Lunatics, who are not to be bound till Leave given by Court to set it down.*
 12. *How Case to be set down for hearing.*
 13. *When a married Woman, Infant, or Lunatic is a Party, Application to be made to the Court for Leave to set the Case down.*
 14. *Upon hearing, Court to determine Question, and make Declaration. Proviso that a Case may be sent to Common-law Court. Proviso that Court may refuse to decide.*
 15. *Protection to be afforded to Trustees by Declaration.*
 16. *The Court may suspend the acting upon Declaration.*
 17. *Special Case to be a Lis pendens, and may be registered.*
 18. *Mode of identifying Documents, and Court may order Production.*
 19. *Court, on Application of Executors or Administrators, may by Order of Course direct it to be referred to a Master to take an Account of Debts and Liabilities.*
 20. *Master's Report may be objected to by Motion to the Court, of which Notice shall be given.*
 21. *Proceeding of the Court on such Motion.*
 22. *If Debts or certain Liabilities allowed, and not paid or provided for, Order may be made for Payment or Accounts.*
 23. *Court, on Application of Executors or Administrators, may direct Appropriation of Money to answer contingent Liability.*
 24. *Court may restrain Proceedings against Executors and Administrators.*
 25. *Protection to be afforded to Executors and Administrators.*
 26. *Notwithstanding Provisions of 3 & 4 Will. 4, c. 94, Judges of the Court may hear and determine Applications mentioned in Act, if they think fit.*
 27. *Exceptions for Scandal, Impertinence, and Inefficiency to be heard by the Court.*
 28. *Power for Court, notwithstanding any Rule, &c. to the contrary, to receive Proof by Affidavit.*

29. *Certain Provisions of 53 Geo. 3, c. 24, and 5 Vict. c. 5, repealed in Part.*
30. *Power to Lord Chancellor, &c. to make General Rules and Orders from Time to Time.*
31. *Rules and Orders to be laid before Parliament, and to be binding from the Time appointed, or from the making, unless objected to by Vote of either House of Parliament. Rules and Orders not laid before Parliament within Time limited to be void.*
32. *Until Rules or Orders are made, and if not applicable when made, Practice to be according to the Act and Practice of the Court.*
33. *Decrees and Orders to be subject to Appeal, &c.*
34. *Interpretation of Terms.*
35. *Commencement of Act.*
36. *Act may be amended &c.*

Whereas proceedings in the High Court of Chancery in England are attended with great delay and expense, which it is expedient to diminish: be it therefore enacted, &c., that it shall be lawful for persons interested or claiming to be interested in any question cognisable in the said court as to the construction of any act of Parliament, will, deed, or other instrument in writing, or any article, clause, matter, or thing therein contained, or as to the title or evidence of title to any real or personal estate contracted to be sold or otherwise dealt with, or as to the parties to or the form of any deed or instrument for carrying any such contract into effect, or as to any other matter falling within the original jurisdiction of the said Court as a Court of equity, or made subject to the jurisdiction or authority of the said Court by any statute not being one of the statutes relating to bankrupts, and including among such persons all lunatics, married women, and infants, in the manner and under the restrictions hereinafter contained, to come in stating such question in the form of a special case for the opinion of the said Court, and it shall also be lawful for all executors, administrators, and trustees to concur in such case.

2. That the committee of the estate of any lunatic interested or claiming to be interested in any such question as aforesaid may, after having been authorised in that behalf by the Lord Chancellor, concur in such case in his own name and on the behalf of the lunatic.

3. That a husband interested or claiming to be interested in right of his wife in any such question as aforesaid may concur in such case in his own name and in the name of his wife when the wife has no claim to any interest distinct from her husband, and that a married woman having or claiming any interest in any such question as aforesaid distinct from her husband may in her own right concur in such case, provided that her husband also concurs therein.

4. That the guardian of any infant interested or claiming to be interested in any such question as aforesaid may concur in such case in the name and on the behalf of the infant, unless such guardian has an interest in such question adverse to the interest of the infant therein.

5. That it shall be lawful for the said Court, by order to be made in the matter of any lunatic not found such by inquisition, or, in the matter of any infant, upon the application of any person on the behalf of such lunatic, or upon the application of such infant, by motion or petition, to appoint any person shewn by affidavit to be a fit person, and to have no interest adverse to the interest of the lunatic or infant, to be the special guardian of such lunatic or infant for the purpose of concurring in such case in the name and on behalf of the lunatic or infant, and any such person so appointed may lawfully so concur: provided always, that it shall be lawful for the said Court to require notice of such application to be given to such person, if any, as the Court shall think fit.

6. That in any case in which any such order as aforesaid shall have been made by the said Court in the matter of any infant without notice to the guardian of the infant, it shall be lawful for the said Court, if it shall think fit so to do, to discharge such order, upon the application of such guardian, by motion or petition; and the said Court, if it shall think fit, may thereupon appoint some other fit person to be the special guardian of such infant for the purpose of such special case, and may also give such directions as may be necessary for substituting in such special case either the name of the guardian so applying, or of the special guardian so appointed in lieu of the name of the special guardian so displaced: provided always,

that the discharge of any order appointing a special guardian shall not invalidate anything which shall in the meantime have been done by such special guardian, unless the Court shall, upon notice to all parties, specially so direct.

7. That every such special case shall be entitled as a cause between some or one of the parties interested or claiming to be interested as plaintiffs or plaintiff, and the others or other of them as defendants or defendant; and that in the title to such cases lunatics and infants shall be described as such, and their committees, guardians, or special guardians named; and that where in any such case a married woman is named as a plaintiff and her husband as a defendant thereto, a next friend of such married woman shall be named in the title to such case.

8. That every such special case shall concisely state such facts and documents as may be necessary to enable the Court to decide the question raised thereby; and that upon the hearing of such case the Court and the parties shall be at liberty to refer to the whole contents of such documents; and the Court shall be at liberty to draw from the facts and documents stated in any such special case any inference which the Court might have drawn therefrom if proved in a cause.

9. That every such special case to which an infant or lunatic is a party by his guardian or special guardian shall also state how such guardian or special guardian was constituted; and that where any married woman having or claiming any interest distinct from her husband is a party to such case, it shall be stated therein that she concurs in such case in her own right.

10. That every such special case shall be signed by counsel for all parties, and shall be filed in the same manner as bills are filed, and that the defendants may appear thereto in the same manner as defendants appear to bills; and that no defendant shall be required to take an office copy of a special case, but an office copy thereof shall be taken by the plaintiff.

11. That after a special case shall have been filed, and the defendants shall have appeared thereto, all the parties to such special case shall be subject to the jurisdiction of the Court in the same manner as if the plaintiff in the special case had filed a bill against the parties named as defendants thereto, and such defendants had appeared to such bill; and upon the special case being filed, and appearances entered thereto as aforesaid, all parties to such special case, other than married women, infants, and lunatics, shall, for the purposes of such special case, be bound by the statements therein; and that married women, infants, and lunatics made parties to a special case shall, for the purposes of such special case, be bound by the statements therein, when, and not before, leave shall have been given by the Court to set down such special case in manner hereinafter provided.

12. That so soon as all the defendants shall have appeared to the special case the same may, subject to the provisions hereinafter contained, be set down for hearing, and subpoenas to hear judgment issued and served according to the practice of the said Court.

13. That when any married woman, infant, or lunatic is party to a special case, application may be made to the Court by motion for leave to set down the same; of which motion notice shall be given to every party to such case in whom, as executor, administrator, or trustee, any property in question therein is or is alleged to be vested in trust for or for the benefit of such married woman, infant, or lunatic, and also, if such application be not made by or on behalf of such married woman, infant, or lunatic, to such married woman and her husband, or to such infant, or to such lunatic and his committee, if any, as the case may be; and that upon the hearing of such motion the said Court may give leave to set down such case, if it shall be of opinion that it is proper that the question raised therein shall be determined thereon, and shall be satisfied by affidavit or other sufficient evidence that the statements contained therein, so far as the same affect the interest of such married woman, infant, or lunatic, are true, but otherwise may refuse such application: provided always, that in case the said Court, upon the hearing of such application, shall be of opinion that it is proper that the question raised in such case shall be determined thereon, but shall not be satisfied that the statements contained therein, so far as they affect the interest of such married woman, infant, or lunatic, are true, it shall be lawful for the said Court to refer it to one of the Masters hereof to make such inquiries as to the Court shall seem proper, and upon further application being made, by motion

as aforesaid, upon the said Master's report, to give or refuse leave to set down such case as to the said Court shall seem fit.

14. That it shall be lawful for the said Court, upon the hearing of any such special case as aforesaid, to determine the questions raised therein or any of them, and by decree to declare its opinion thereon, and, so far as the case shall admit of the same, upon the right involved therein, without proceeding to administer any relief consequent upon such declaration; and that every such declaration of the said Court contained in any such decree shall have the same force and effect as such declaration would have had, and shall be binding to the same extent as such declaration would have been, if contained in a decree made in a suit between the same parties instituted by bill: provided always, that it shall be lawful for the said Court, if it shall see fit so to do, before proceeding to make such decree as aforesaid, to send any case or cases for the opinion of any of her Majesty's Courts of common law, reserving the consideration of all further directions and of the costs, and to make such decree as aforesaid upon such further directions; provided also, that if upon the hearing of such special case as aforesaid the Court shall be of opinion that the questions raised thereby or any of them cannot properly be decided upon such case, the said Court may refuse to decide the same.

15. That every executor, administrator, trustee, or other person making any payment or doing any act in conformity with the declaration contained in any decree made upon a special case shall in all respects be as fully and effectually protected and indemnified by such declaration as if such payment had been made or act done under or in pursuance of the express order of the said Court made in a suit between the same parties instituted by bill, save only as to any rights or claims of any person in respect of matters not determined by such declaration.

16. That where any person shall be desirous to have a special case reheard, or to appeal from the decision thereon, it shall be lawful for the said Court, upon application for that purpose, either at the time of the decree upon such special case being made or at any time afterwards, and upon such conditions, if any, as the Court shall think fit, to order that the declaration contained in such decree shall not be acted upon for such time as the said Court shall think just.

17. That the filing of a special case, and the entering of appearances thereto by the persons named as defendants therein, shall be taken to be a *lis pendens*, and may be registered under the provisions of an act made and passed in the second year of the reign of her present Majesty, intituled "An Act for the better Protection of Purchasers against Judgments, Crown Debts, *Lis pendens*, and *Flats in Bankruptcy*," in like manner as any other *lis pendens* in a court of equity may now be so registered, and, unless and until so registered shall not bind a purchaser or mortgagee without express notice thereof.

18. That any documents referred to in a special case, and any copies thereof or extracts therefrom, identified by the signature of the solicitors for all parties or of the London agents of such solicitors, may be produced and read at the hearing of such case, without further proof; and that it shall be lawful for the said Court, at any time after the filing of the special case, and the entering of appearances thereto by the persons named as defendants therein, to order any document which may be admitted thereby to be in the possession of any party to such case to be deposited and produced in such manner and for such purposes as the Court shall think fit.

19. And whereas it is expedient to provide means for enabling executors or administrators of deceased persons to ascertain whether there are any outstanding debts or liabilities affecting the personal estates of such persons, without the delay and expense of suits to administer such estates: be it therefore enacted, that it shall be lawful for the said Court, upon the application of the executors or administrators of any deceased person, by order to be made upon motion or petition of course, and to be in the form or to the effect set forth in the schedule hereto, with such variations as circumstances may require, to refer it to one of the Masters of the said Court to take an account of the debts and liabilities affecting the personal estate of such deceased person, and to report thereon: provided always, that no such order shall be made until the expiration of one year next after the death of such deceased

person, or pending any proceedings to administer the estate of such person, and that in case at any time after the making of such order any decree or order for administering the estate of such deceased person shall be made, it shall be lawful for the said Court by such decree or order to stay or suspend the proceedings under such order of course, on such terms and conditions, if any, as to the said Court shall seem just.

20. That it shall be lawful for any person who may have come in before the Master under any such order, and claimed to be a creditor upon the estate of the deceased person, or to have any demand upon such estate by reason of any liability, and whose debt or claim may not have been wholly allowed by the said Master, to apply to the said Court by motion, of which notice shall be given within fourteen days after the filing of the Master's report, to have such claim allowed by the Court, either wholly or partially; and it shall be lawful for the said executors or administrators, and for any creditor of the deceased person who may be authorised by special leave of the said Court so to do, to apply to the said Court by motion, of which notice shall be given within the time aforesaid, to have any debt or claim allowed by the said Master disallowed by the Court, either wholly or partially; and at the expiration of fourteen days after the filing of the said report the same shall, except as to any debt or claim as to which any such notice as aforesaid may have been given, be absolute, as if the same had been confirmed by order of the Court.

21. That upon the hearing of any such motion as aforesaid the said Court may either dismiss such motion, or may order the debt or claim to which such motion relates to be allowed or disallowed, as the case may be, and either wholly or partially, or may direct further inquiry or further proceedings, by way of action or otherwise, touching such debt or claim, and after such inquiry or proceedings may, upon further motion, deal with such debt or claim as to the said Court shall seem just: provided always, that no new evidence shall be received by the said Court upon the hearing of any such motion without special leave of the said Court.

22. That in case any debt or any certain liability shall have been allowed as aforesaid, and shall not within fourteen days after the report has become absolute as to such debt or liability, or after the same shall have been allowed by the said Court, be paid or provided for by appropriation to the satisfaction of the person who has established such liability, it shall be lawful for the said Court, by order, to be made, in case of any debt remaining due, upon the application by motion or petition of the person to whom the debt remains due, and on notice to the executors or administrators, and in case of any certain liability remaining unprovided for by appropriation, upon the application by motion or petition of the person by whom such liability has been established, or of the executors or administrators, and on notice by the party applying to the other of them, to order payment of the debts which may have been allowed and remain unpaid, and to provide for the certain liabilities which may have been allowed and remain unprovided for, in like manner as the same could or might have been paid or provided for in a suit for that purpose instituted by bill, or to refer it to the Master to take an account of the debts and certain liabilities allowed as aforesaid which remain unpaid or unprovided for, and also the usual accounts of the personal estate of the deceased person, with all usual and proper directions; and every such order shall have the same force and effect and shall be prosecuted and carried on in like manner as a decree in a creditor's suit instituted by bill.

23. That in case any contingent liability shall be allowed by the said report or by the said Court, it shall be lawful for the said Court, by order, to be made upon the application of the executors or administrators, by motion or petition, on notice to the person who may have established such contingent liability, to order such sum of money, part of the estate of the deceased person, as to the said Court shall seem just, to be set apart and appropriated for answering such contingent liability, and to give such directions as the said Court shall think fit touching the payment of such sum of money into court, and the investment thereof, and the payment, application, or accumulation of the interest or dividends thereof in the meantime and until the same shall be required to answer such liability, and, when such liability shall be ascertained or determined, to give such directions as to the payment of such sum out of court as the said Court shall deem right: provided always, that no order to be made as aforesaid shall in any manner bind the assets so appropriated as against

the persons entitled to the estate of the deceased subject to the contingent liability; and any person interested in such appropriated assets may apply to the Court touching the same as he may be advised.

24. That after the filing of such report as aforesaid it shall be lawful for the said Court, upon the application of the executors or administrators of the deceased, by order, to be made on motion, to restrain by injunction any proceedings at law against them by any person having or claiming to have any demand upon the estate of the deceased by reason of any debt or liability, other than the persons who may have established contingent liabilities under the said order for which no appropriation may have been made.

25. That in case no debt or liability, or no debt or liability other than a contingent liability, shall have been allowed as aforesaid, or in case any debt or liability other than as aforesaid shall have been allowed as aforesaid, then after the same shall have been paid or provided for by appropriation as aforesaid, all payments made by the executors or administrators, or any of them, on account of the estate of the deceased person, and all dispositions of such assets made by them or any of them on account of such estate, shall, as against all persons having or claiming to have any demand upon such estate by reason of any debt or liability, other than persons who may have established under the said order any contingent liability for which no such appropriation as aforesaid may have been made, be as good and effectual as if the same had been made under a decree of the said Court: provided always, that nothing herein contained shall in any manner affect or prejudice the rights of any creditor or other person having any demand or claim upon the estate of the deceased against any assets so paid or disposed of, or against the persons to whom such payment or disposition may have been made, or against any assets appropriated under the provisions of this act, and the appropriation of which, if made under a decree of the said Court in a suit to which he was not a party, would not have been binding upon him.

26. And whereas by an act passed in the 3 & 4 Will. 4, [c. 94,] intituled "An Act for the Regulation of the Proceedings and Practice of certain Offices of the High Court of Chancery in England," it is enacted, "That the Masters in Ordinary of the High Court of Chancery shall hear and determine all applications for time to plead, answer, or demur, and for leave to amend bills, and for enlarging publication, and all such other matters relating to the conduct of suits in the said court as the Lord Chancellor, with the advice and assistance of the Master of the Rolls and Vice-Chancellor, or one of them, shall by any general order or orders direct, in such manner and under such rules and regulations as by any general order or orders, to be also issued by the Lord Chancellor, with the advice and assistance aforesaid, shall be directed, and that it shall be lawful for either party to appeal by motion from the order made on such application to the Lord Chancellor, Master of the Rolls, or Vice-Chancellor, and that the order made on such appeal shall be final and conclusive;" and it is enacted, "That no such application as above mentioned shall in future be heard by any of the judges of the said Court of Chancery, except on appeal as hereinbefore provided:" and whereas the last-mentioned enactment has been found to be inconvenient: be it therefore enacted, that, notwithstanding the provisions of the said act, it shall be lawful for any of the judges of the said court to hear and determine any such application as mentioned in the said act in the first instance, if under special circumstances he shall think fit so to do.

27. That all exceptions for scandal, impertinence, and insufficiency, which according to the existing practice of the said Court are referred to the Masters of the said Court, shall not any longer be so referred, but shall be heard and determined by the said Court in the first instance.

28. That, notwithstanding any rule or practice of the said Court to the contrary, it shall be lawful for the said Court, at the hearing of any cause or of any further directions therein, to receive proof by affidavit of all proper parties being before the Court, and of all such matters as are necessary to be proved for enabling the said Court to order payment of any monies belonging to any married woman, and of all such other matters not directly in issue in the cause as in the opinion of the said Court may safely and properly be so proved.

29. That so much of an act made and passed in the 53 Geo. 3, [c. 24,] intituled "An Act to facilitate the Administration

reverse, or alter any decree, order, act, matter, or thing made or done by any Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, unless authorised by the Lord Chancellor, Lord Keeper or Lords Commissioners for the time being so to do, nor any power or authority to discharge, reverse, or alter any decree, order, act, matter, or thing made or done by the Master of the Rolls, and so much of an act made and passed in the 5 Vict., [c. 5.] intitled "An Act to make further Provisions for the Administration of Justice," as provides that no Vice-Chancellor appointed under the authority of that act shall have power or authority to discharge, reverse, or alter any decree, order, act, matter, or thing made or done by any other Vice-Chancellor to be appointed under that act, not being a predecessor in office of such Vice-Chancellor, nor any decree, order, act, matter, or thing made or done by any Lord Chancellor, unless authorised by the Lord Chancellor so to do, nor any power or authority to discharge, reverse, or alter any decree, order, act, matter, or thing made or done by the Master of the Rolls or the Vice-Chancellor for the time being appointed in pursuance of an act passed in the 53 Geo. 3, [c. 24.] intitled "An Act to facilitate the Administration of Justice," shall be and the same are respectively hereby repealed, so far as the same respectively apply to orders on motion or petition of course made by the Lord Chancellor, Master of the Rolls, or any of the Vice-Chancellors; and that it shall be lawful for the Master of the Rolls and the Vice-Chancellors respectively to discharge, reverse, or alter any order made on motion or petition of course by any other of them, or by the Lord Chancellor.

30. That it shall be lawful for the Lord Chancellor, with the advice and consent of the Master of the Rolls and any one or more of the Vice-Chancellors, from time to time to make, rescind, and alter general rules and orders for better enabling the opinion of the said Court to be obtained on special cases, and for effectuating the purposes of this act as to the debts and liabilities of deceased persons, and for making any provisions which may be or be deemed necessary or proper as to amendment, revivor, and supplemental matter or relief, and as to costs of any proceedings under or in pursuance of this act, and for regulating the times and form and mode of procedure, and generally the practice of the said Court in respect of the matters to which this act relates, and every of them, and so far as may be found expedient for altering the course of proceeding hereinbefore prescribed in respect to such matters or any of them.

31. That all such general rules and orders shall be laid before both Houses of Parliament, if Parliament shall be then sitting, immediately upon the making and issuing the same, or, if Parliament shall not be then sitting, then within five days after the next meeting thereof; and that every such rule or order shall from and after the time in that behalf to be appointed by the Lord Chancellor, with such advice and consent as aforesaid, and if no time shall be so appointed, then from and after the making thereof, be binding and obligatory on the said Court, and be of like force and effect as if the provisions therein contained had been expressly enacted by Parliament: provided always, that if either of the Houses of Parliament shall, by any resolution passed at any time before such House of Parliament shall have actually sat thirty-six days after such rules, orders, and regulations shall have been laid before such House of Parliament, resolve that the whole or any part of such rules or orders ought not to continue in force, in such case the whole or such part thereof as shall be so included in such resolution shall from and after such resolution cease to be binding and obligatory on the said Court; provided also, that no such rule or order as aforesaid shall by virtue of this act be of the like force and effect as if the provisions therein contained had been expressly enacted by Parliament, unless the same shall be expressed to be made in pursuance of this act; and that every such rule or order so expressed to be made in pursuance of this act which shall not be laid before both Houses of Parliament within the time by this act limited for that purpose shall from and after the expiration of such time be absolutely void and of no effect.

32. That in the meantime and until any such general rules or orders shall be made, and in so far as the same, when made, shall not be applicable, the proceedings under this act shall be governed and regulated by the provisions herein contained so

parties to special cases as in every other respect, be governed and regulated by the rules, orders, and practice of the said Court in suits instituted by bill, so far as the same can be applied thereto; and, subject to such general rules and orders as aforesaid, the costs of all proceedings under this act shall be in the discretion of the said Court.

33. That all decrees and orders made under the provisions of this act shall be subject to rehearing, appeal, and review, and may be discharged and varied, in the same and the like manner as decrees and orders of the said Court made in suits instituted by bill.

34. That the following words and expressions in this act shall have the several meanings hereby assigned to them, unless there be something either in the subject or in the context repugnant to such construction:

Words importing the singular number only shall include the plural number, and words importing the plural number only shall include the singular number:

Words importing the masculine gender only shall include females:

The expression "Lord Chancellor" shall mean and include the Lord Chancellor, Lord Keeper and Lords Commissioners of the Great Seal of the United Kingdom for the time being:

The word "Master" shall mean Master in Ordinary of the High Court of Chancery in England:

The word "lunatic" shall include idiots and persons of unsound mind, and whether found such by inquisition or not:

The word "guardian" shall mean father or testamentary guardian, or guardian appointed by the Court of Chancery (not being a special guardian appointed under the provisions of this act).

35. That this act shall commence and take effect from and after the 1st day of November, 1850.

36. That this act may be amended or repealed by any act to be passed in the present session of Parliament.

SCHEDULE REFERRED TO BY THE FOREGOING ACT.

[Date.]

In the matter of A. B., late of —, in the county of —, banker, [or as the case may be], deceased.

Upon motion this day made unto this Court by Mr. —, of counsel for C. D., of —, the executor [or administrator] of the above-named A. B., [or upon the humble petition of C. D., of —, the executor (or administrator) of the said A. B., this day preferred unto the Right Honourable the Master of the Rolls for the reasons therein contained], it is ordered, that it be referred to the Master of this Court in rotation to take an account of the debts and liabilities affecting the personal estate of the said A. B., and to compute interest on such of the said debts and liabilities as carry interest after the rate of interest the same respectively carry; and the said Master is to cause an advertisement to be published in the London Gazette and such other public papers as he shall think fit for the persons claiming in respect of any such debts or liabilities to come in before the said Master, and prove their debts and claims, and he is to fix a peremptory day for that purpose; and such of the said creditors as shall not come in and prove their debts and claims by the time so to be limited are to be excluded the benefit of this order: and it is ordered, that the said Master do distinguish debts from liabilities, and liabilities certain from liabilities contingent: and it is ordered, that the personal estate of the said A. B. be applied in payment and satisfaction of such debts and liabilities of the said A. B. in a due course of administration; and for the better taking the said accounts and discovery of the matters aforesaid the parties are to produce before the said Master, upon oath, all deeds, books, papers, and writings in their custody or power relating thereto, and are to be examined upon interrogatories as the said Master shall direct; and any of the parties are to be at liberty to apply to the Court as there shall be occasion.

CAP. XXXVI.

An Act to facilitate Procedure in the Court of Session in Scotland. [29th July, 1850.]

Sect. 1. New form of summons and defences.

2. Record, how to be made up.
3. Where pursuer willing, record may be closed on summons and defences.
4. Prorogations, how to be granted.
5. Record to be closed by interlocutor, and no authentication by counsel to be necessary.
6. Lord Ordinary may appoint closed record to be printed.
7. Dilatory defences in reductions, how to be disposed of.
8. Production may be satisfied on box day.
9. Record to be made up in advocations and suspensions, after answers are lodged, similarly to other actions;
10. And in processes of competition, &c. as may be fixed by the Court of Session by act of sederunt.
11. Reclaiming days limited to ten, except for judgments on the merits, and decrees in absence.
12. Reclaiming notes during the making up of the record prohibited, except with leave of the Lord Ordinary.
13. Process may proceed, notwithstanding reclaiming note or appeal.
14. Lords Ordinary not to order written argument.
15. Summonses now signed by clerk of the Court of Session may be signed by a writer to the signet.
16. Actions of adherence, &c. to be instituted in the Court of Session.
17. Members of College of Justice not to institute actions not otherwise competent.
18. Summonses not to proceed on bills, or to bear dates except the dates of signeting.
19. Regulations as to multiplepointings.
20. Short forms of execution provided.
21. Induciae of summonses and other writs passing the signet shortened.
22. Edictal citations regulated.
23. Protestations for not calling and inrolling regulated.
24. Granting judicial bonds in maritime causes abolished.
25. Copy of an interlocutor granting commission or diligence to be equivalent to a formal extract.
26. Witnesses abroad may be examined in consistorial causes by commission.
27. Diligences may be reported on box days.
28. Interim decrees to be extractible without special allowance.
29. Decree for expenses to include expense of extract.
30. Actions may be wakened without a summons.
31. Transference of action to include a wakening.
32. In advocations and suspensions, if record closed and proof concluded in inferior court, case may be taken at once to the Inner House without a judgment of the Lord Ordinary.
33. Who to fix Lord Ordinary and division in advocations and suspensions.
34. Advocations on juratory caution not to be proceeded with where there is no probablis causa.
35. Provision as to one division of the Court consulting the other.
36. Procedure in jury causes to be the same, so far as is applicable, as in other Court of Session causes.
37. Offices of issue clerk and jury clerk abolished.
38. Procedure for the adjustment of issues.
39. Engrossment of issues abolished.
40. On issues being approved of, time and place of trial to be fixed.
41. Lord Ordinary in the cause to preside at trial during session.
42. Lord Ordinary, &c. to have power to summon jury, and to appoint cause to be tried by a special jury.
43. Certified copy of the interlocutor fixing the trial to be the warrant for citing witnesses.
44. Counsel for each party to be heard after evidence closed.
45. Restriction of bills of exceptions.
46. Lord Ordinary may try issues of consent without a jury.
47. Lord Ordinary's findings in fact shall be final unless reclaimed against. Proviso as to appeals on questions of law.
48. Lord Ordinary may try special facts without a jury.
49. Lord Ordinary may take the evidence by commission, except in the enumerated causes.
50. Parties may choose their own jury.
51. Reports by Lords Ordinary to be verbal.
52. Compensation.
53. Interpretation of terms.
54. Court of Session may make regulations by acts of sederunt.

55. Commencement of act.

56. Recited acts, &c. repealed, in so far as at variance with this act.

57. Act may be amended &c.

CAP. XXXVII.

An Act for the further Extension of Summary Jurisdiction in Cases of Larceny. [29th July, 1850.]

- Sect. 1. *Recited Acts extended to all Cases in which the Age of the Person charged does not exceed sixteen Years. Offenders above fourteen Years of Age not to be liable to Punishment of Whipping.*
2. *Justice to ask whether Accused wishes the Charge to be tried by a Jury.*
3. *Act not to extend to Scotland.*

Whereas by an act passed in the 10 & 11 Vict., [c. 82.] intitled "An Act for the more speedy Trial and Punishment of Juvenile Offenders," it is enacted, that every person who should subsequently to the passing of that act be charged with having committed or having attempted to commit, or with having been an aider, abettor, counsellor, or procurer in the commission of any offence which then was or thereafter should or might be by law deemed or declared to be simple larceny, or punishable as simple larceny, and whose age at the period of the commission or attempted commission of such offence should not, in the opinion of the justices before whom he or she should be brought or appear as thereafter mentioned, exceed the age of fourteen years, should, upon conviction thereof upon his own confession or upon proof before any two or more justices of the peace for any county, riding, division, borough, liberty, or place, in petty sessions assembled at the usual place and in open court, be punished as therein mentioned: and whereas by an act passed in the 11 & 12 Vict., [c. 59.] intitled "An Act for the more speedy Trial and Punishment of Juvenile Offenders in Ireland," it is enacted that every person who should subsequently to the passing of that act be charged with having committed or having attempted to commit, or with having been an aider, abettor, counsellor, or procurer in the commission of any offence in Ireland which then was or thereafter should or might be by law deemed or declared to be simple larceny, or punishable as simple larceny, and whose age at the period of the commission or attempted commission of such offence should not, in the opinion of the justices before whom he or she should be brought or appear as thereafter mentioned, exceed the age of fourteen years, should, upon conviction thereof upon his own confession or upon proof before any two or more justices of the peace for any county, riding, division, borough, liberty, or place, in petty sessions assembled at the usual place and in open court, be punished as therein mentioned: and whereas the expense and delay sustained in the prosecution of persons guilty of petty thefts tend to the increase of such offences; and it is expedient that the provisions of the said acts should be extended as hereinafter provided: be it enacted, &c., that the said recited acts, and the jurisdiction thereby given, and all the provisions therein contained, shall extend and be applicable to all cases in which any person shall subsequently to the passing of this act be charged with any such offence as in the said acts mentioned, and the age of the person so charged at the period of the commission or attempted commission of the offence shall not, in the opinion of the justices before whom he or she shall be brought or appear as therein mentioned, exceed the age of sixteen years; and that the provisions of the said recited acts for summons, warrant to summon and apprehend, and all other the provisions applicable to the cases where any person whose age is alleged not to exceed fourteen years shall be charged with any such offence as in the said acts mentioned, shall extend and be applicable to all cases in which any person whose age shall not exceed sixteen years shall be charged with any such offence as aforesaid: provided always, that nothing herein contained shall authorise or empower any justice or justices to order the punishment of whipping to be inflicted upon any offender whose age shall exceed the age of fourteen years.

2. That one of the justices before whom any person shall be charged and proceeded against under this act or the herebefore mentioned acts, before such person shall be asked whether he or she has any cause to shew why he or she should not be convicted, shall say to the person so charged these words, or words to the like effect: "We shall have to hear what you wish to say in answer to the charge against you; but if you

wish the charge to be tried by a jury, you must object now to our deciding upon it at once;" and if such person, or a parent of such person, shall then object, the justices shall proceed with the charge as if the said acts had not been passed.

3. That nothing in this act contained shall extend to Scotland.

CAP. XXXVIII.

An Act to render valid certain Marriages solemnised in the new Church at Upton-cum-Chalvey, in the County of Buckingham and Diocese of Oxford. [29th July, 1850.]

CAP. XXXIX.

An Act for the better Government of Convict Prisons. [29th July, 1850.]

CAP. XL.

An Act to regulate the Disposition of the Naval Prize Balance. [29th July, 1850.]

CAP. XLI.

An Act to authorise the Division of the Parish of Manchester into several Parishes, and for the Application of the Revenues of the Collegiate and Parish Church, and for other Purposes. [29th July, 1850.]

CAP. XLII.

An Act to confirm the Incorporation of certain Boroughs, and to provide for the Payment of the Expenses of the Incorporation of new Boroughs. [29th July, 1850.]

Sect. 1. Certain charters of incorporation and the proceedings thereunder confirmed.

2. Districts set forth in such charters to be deemed the extent of municipal boroughs.

3. In case of future charters, the costs and expenses may be paid out of the borough rate.

CAP. XLIII.

An Act to amend the Practice and Proceedings of the Court of Chancery of the County Palatine of Lancaster. [29th July, 1850.]

Sect. 1. *Power to the Chancellor, with the Advice and Consent of the Vice-Chancellor of the Duchy of Lancaster, and one of the Vice-Chancellors of the High Court of Chancery, to make Alterations in Forms and Mode of Proceedings.*

2. *Power to adopt and modify any Rules and Orders made or to be made by the High Court of Chancery.*

3. *Not to abridge Power of the Chancellor and Vice-Chancellor to alter the Practice of the Court, except so far as may be inconsistent with the Provisions of this Act.*

4. *Power to the Chancellor of the Duchy to regulate Fees.*

5. *A List of Fees authorised to be taken to be hung up in Registrar's Office; and Officers of the Court taking Fees not authorised to be deemed guilty of a Contempt of Court.*

6. *Registrars to hear and determine certain interlocutory Matters.*

7. *Subject to Appeal to the Vice-Chancellor.*

8. *Costs on interlocutory Matters.*

9. *Power to Registrar to assign Guardians to Infant Defendants or Persons of unsound Mind.*

10. *Special Cases may be submitted to the Court for its Opinion.*

11. *Court may exercise summary Jurisdiction, so far as regards Persons, &c. within the same, as exercised by High Court of Chancery.*

12. *Money paid into Court under 8 & 9 Vict. c. 18, for Lands within the County Palatine, and under 10 & 11 Vict. c. 96, may be paid into the Bank of England, to the joint Account of the Clerk and Registrar.*

13. *Power to the Vice-Chancellor, when out of the Limits of the Jurisdiction of the Court, to hear and determine Pleas, Demurrers, and other interlocutory Matters. Orders made upon Hearing valid.*

14. *Power to the Vice-Chancellor, in certain Cases, to direct Process to be served upon Persons out of the Jurisdiction of the Court.*

15. *Where Decree or Order cannot be enforced by Reason of the Party to be bound thereby not being within the Jurisdiction, it shall be enforced by making it an Order of the High Court of Chancery.*

16. *No Petition of Appeal to be presented but within six Months after Date of Decree or Order appealed from.*

17. *Service of Subpoena on Witnesses out of Jurisdiction to be valid to compel Attendance; and the Courts of Queen's Bench in England and Ireland and the Court of Justiciary in Scotland may proceed against and punish Persons making Default.*

18. *Persons not liable to Action for not attending, unless Expenses be tendered on serving Subpoena.*

19. *Affidavits sworn before Commissioners or Masters Extraordinary by Persons out of Jurisdiction to be effectual, and Persons forswearing themselves to be guilty of Perjury.*

20. *Power to Chancellor of the Duchy to appoint a Messenger of the Court.*

21. *Keeper of Lancaster Castle to receive Persons arrested and conveyed thither by Messenger, and to produce and deal with them as Court shall direct.*

22. *After Appointment of Messenger, Duties of Messenger of Duchy to cease within its Limits.*

23. *Jurisdiction of County Palatine Court over Persons of unsound Mind abolished, except as to Cases of Persons found insane before the Commencement of this Act.*

24. *Certain Provisions of 1 & 2 Vict. c. 110, as to Decrees and Orders in Equity to apply to County Palatine Court. No Decree or Order of Court to affect any Lands, &c., until the Particulars shall have been left with the Prothonotary, and entered in a Book. Fees payable for such Entry.*

25. *Power for Chancellor of Duchy to abolish Office of Clerk in Court, and admit all Attornies and Solicitors to practise in the Court of Chancery of the County Palatine.*

26. *Power to grant Compensation to Clerks in Court for Losses occasioned by Abolition of Office.*

27. *Admission Fee to be paid by Solicitors desirous of practising in Court of Chancery of the County Palatine. Application of Fees.*

28. *Payment of Compensation out of Fee Fund, or, in Case of Deficiency, out of Revenues of the Duchy, to be repaid out of Fee Fund.*

29. *Power to the Chancellor of the Duchy to direct that the Registrar be paid by Salary.*

30. *Registrar to make out an Account of all Fees received by him, and have the same audited by the Vice-Chancellor.*

31. *Duplicate of Account to be transmitted to Auditor of Duchy.*

32. *Registrar to pay Fees to Account of Duchy Fee Fund, and to give Security to account for all Fees and Suits' Money received by him.*

33. *Power for Chancellor to appoint District or Deputy Registrars.*

34. *Registrars not to practise as Solicitors in the Court.*

35. *Court to have Jurisdiction as to Costs, but Orders to be subject to Appeal.*

36. *Interpretation of Terms.*

37. *Commencement of Act.*

38. *Act may be amended &c.*

Whereas the Court of Chancery of the county palatine of Lancaster is an ancient court, and has been found greatly beneficial to the inhabitants of the said county palatine; and it is expedient, in order to extend the advantages of the said court, that certain alterations and improvements should be effected in the jurisdiction, practice, and proceedings thereof: and whereas the Queen's most excellent Majesty has been graciously pleased to sanction such alterations and improvements, notwithstanding that the same may affect her prerogatives and rights as Duchess of Lancaster, or may create a charge upon

the revenues of the said duchy: be it therefore enacted, &c., that it shall be lawful, from and after the passing of this act, for the Chancellor of the Duchy and County Palatine of Lancaster for the time being, with the advice and consent of the Vice-Chancellor of the said county palatine for the time being, and of one of the Vice-Chancellors of the High Court of Chancery, to be named for that purpose, by writing under the hand of the Lord High Chancellor or other officer having the custody of the Great Seal, or (if more than one) of the chief commissioner or officer having such custody, by any rules or orders to be by him from time to time made with such advice and consent as aforesaid, to make such alterations as may seem to him expedient in the form of writs and commissions, and the mode of sealing, issuing, executing, and returning the same, and also in the form and mode of filing bills, answers, depositions, affidavits, and other proceedings, and in the form or mode of obtaining discovery, by answer in writing or otherwise, and in the form or mode of pleading and of taking evidence, and generally of proceeding to obtain relief in the Court of Chancery of the said county palatine, and in the general practice of the court, and also in the form and mode of proceeding before the registrar of the said court, and of drawing up and entering and inrolling orders and decrees, and of making and delivering copies of pleadings and other proceedings, and also to regulate the taxation, allowance, and payment of costs, and all other the business of the said court; and all such rules and orders shall be binding from such time as the said Chancellor, with such advice and consent as aforesaid, shall thereby direct, and shall have the same force and authority as if the same had been enacted by the authority of Parliament: provided always, that all such rules and regulations shall be laid before both Houses of Parliament within five days from the issuing thereof, if Parliament be then sitting, or, if not, then within five days from the next meeting of Parliament: provided also, that if either House of Parliament shall, by any resolution passed before such House shall have sat thirty-six days from and after the said orders and regulations shall have been laid before it, resolve that the same or any part thereof ought not to continue in force, then and in any such case the orders and regulations affected by such resolution shall cease to be binding on the said court; and no orders or regulations to be made in pursuance of this act shall be of any effect unless expressed to be made in pursuance of the power given by this act, nor shall the same continue in effect after the expiration of the time herein provided for laying the same before Parliament, unless they be laid before Parliament accordingly.

2. Provided always, and be it enacted, that whenever, by or under the authority of any act of Parliament, passed or to be passed, or by any General Order of the High Court of Chancery, any rules, orders, or regulations already have been or hereafter shall be made for the purpose of framing, regulating, or amending the proceedings, practice, or pleadings of the said High Court of Chancery, it shall be lawful for the Chancellor of the Duchy and County Palatine of Lancaster, with the consent and advice of the Vice-Chancellor of the said county palatine, and of such Vice-Chancellor of the High Court of Chancery as aforesaid, by rules or orders to be made in that behalf, to adopt all or any of such rules, orders, or regulations, or any part or parts thereof, with such variations therein or additions thereto as may be necessary or proper for adapting the same to the business and mode of proceeding of the Court of Chancery of the county palatine; and such last-mentioned rules and orders, if expressed to be made in pursuance of the authority of this act, shall be valid and binding from the making and issuing thereof, or such other time as shall be therein mentioned.

3. Provided always, and be it enacted, that nothing herein contained shall extend to take away or abridge the power heretofore possessed by the Chancellor of the Duchy and County Palatine of Lancaster and the Vice-Chancellor of the said county palatine, or either of them, of settling, altering, and amending the practice and course of proceeding in the said court of the county palatine, but such power shall, notwithstanding anything herein contained, continue and have the same force and effect as if this act had not been passed, save and except so far as the exercise of such power may in any respect be repugnant to or inconsistent with the provisions herein contained, and save also that neither the said Chancellor nor Vice-Chancellor alone shall alter or vary any order made by the said Chancellor, with such advice and consent as aforesaid.

4. That the Chancellor of the Duchy and County Palatine of Lancaster for the time being, by and with the advice and consent of the Vice-Chancellor of the said county palatine for the time, shall have full power and authority, by any General Orders to be from time to time made after this act shall take effect, to make such regulations as to the fees to be paid by suitors, or to be charged by or allowed to all or any of the officers of the said county palatine, and by or to the solicitors thereof, as to him may seem expedient, and to alter the same, with such advice and consent as aforesaid, when and as he may think fit.

5. That a table of all fees for the time being authorised by the said Chancellor and Vice-Chancellor of the said county palatine to be taken by any officer of the said county palatine court, or by any solicitor practising in the said court, for business done therein, shall be hung up in some conspicuous place in the office of the registrar of the said court; and that if any officer of the court shall, for anything done or pretended to be done relating to his office or employment, or under colour of doing anything relating to his office or employment, wilfully demand or receive, or allow any person to receive for him or on his account, any fee, gratuity, or emolument, or anything of value, other than what shall be allowed to be taken by him as aforesaid, the person so offending shall be deemed guilty of a contempt of court, and shall be punishable, according to the discretion of the said court, as for a contempt.

6. That the registrar of the said county palatine court shall hear and determine all applications for time to plead, answer, or demur, and for leave to amend bills, and for enlarging publication, and all such other matters relating to the conduct of suits and proceedings in the said court as the Chancellor of the Duchy and County Palatine of Lancaster, with the advice and consent of the Vice-Chancellor of the said county palatine, shall by any General Orders from time to time direct, in such manner and subject to such regulations as by such General Orders shall be directed.

7. That it shall be lawful for either party to appeal, by motion, from the order made by the registrar on such applications as aforesaid, to the Vice-Chancellor of the said county palatine, and that the order made on such appeal shall be final and conclusive, and that no such application directed to be heard and determined by the registrar as aforesaid shall in future be heard by the Chancellor of the duchy and county palatine aforesaid, nor shall any such application be heard by the Vice-Chancellor of the said county palatine, except on appeal as hereinbefore provided.

8. That it shall be lawful for the said registrar, on all applications made to him by virtue of this act, to direct that the costs of all or any of the parties shall be costs in the cause or matter, or to award such liquidated sum by way of costs to any of the parties as he shall think reasonable, and the costs so to be awarded shall be recoverable in like manner as costs directed to be paid by an order of the said county palatine court.

9. That in every case where an infant or person of unsound mind, not found to be a lunatic by any inquisition, shall be named as defendant in any suit in the said county palatine court, it shall be lawful for the registrar of the said court to assign a guardian to such defendant, for the purpose of putting in the answer and defending such suit, and to make and sign his certificate thereof.

10. That if any persons shall be desirous of obtaining the opinion of the court on the construction of a deed, will, or other instrument, or on any other matter in dispute over which the court may have jurisdiction, by virtue of this act or otherwise, it shall be lawful for such persons to present a petition to the court, stating the facts of the case, the draft of which shall be signed by counsel, and the name of such counsel shall appear on the petition, as signing the same on behalf of the parties thereto, and the court on hearing such petition may make such declaration of rights in respect of the subject matter thereof as to the court shall seem proper, and such declaration shall be binding on all persons in the same manner and to the same extent, and subject to appeal in the same manner, as a decree made on the hearing of a cause in which any one or more of the parties to the petition could be plaintiffs and the other parties or party defendants, and in which the facts stated in the petition had been proved: provided always, that in case any infant, lunatic, or person of unsound mind, or any married

woman in respect of her real estate, or of any reversionary interest in personal estate, shall be interested in the matter of such petition, he or she shall not be made a party thereto unless and until the case to be stated in such petition shall have been submitted to the registrar, and shall be certified by him to be correctly stated as to the facts, and to be a proper case to be submitted to the court on the behalf of the party under such disability as aforesaid; and the registrar, before granting such certificate, shall require such facts to be verified by affidavit, and shall also require the assent to such case of the husband of any married woman, and of the committee of any lunatic, and of the guardian ad litem of any infant or person of unsound mind, which guardian may be appointed in the same manner as in the case of a party defendant to a suit.

11. That when under or by virtue of any act of Parliament already made and passed or which may hereafter be made and passed, or by any orders or regulations made in pursuance thereof, application is authorised or allowed to be made by petition or motion or otherwise to the High Court of Chancery or any judge of the said court, and summary jurisdiction to be exercised thereon, (unless in any act of Parliament to be hereafter passed the contrary be expressly enacted), it shall be lawful for the Court of Chancery of the said county palatine, so far only as regards all persons and property within its jurisdiction, to exercise the like summary jurisdiction, and in the same manner, and subject to the same restrictions, in all respects as the said High Court of Chancery or any judge thereof might exercise in the like matters.

12. That all monies payable in respect of lands situate within the said county palatine, and which are authorised to be paid into or deposited in the Bank of England to the account of the Accountant-General of the High Court of Chancery, under and by virtue of the "Lands Clauses Consolidation Act, 1845," or any local or special act passed or to be passed incorporating the provisions of the said last-mentioned act, or otherwise authorising the taking or using of lands situate in the said county palatine, and also that all monies or securities held by any party who might be sued in the Court of Chancery of the said county palatine in respect thereof, and which under and by virtue of an act made and passed in the Parliament held in the 10 & 11 Vict., [c. 96,] intituled "An Act for better securing Trust Funds, and for the Relief of Trustees," might be in like manner paid or transferred into or deposited in the Bank of England, to the account of the said Accountant-General, may, from and after the passing of this act, be in like manner paid or transferred into or deposited in the Bank of England to the joint account of the clerk of the council of the duchy of Lancaster and of the registrar and comptroller of the said county palatine court in the matter in respect whereof such payment, transfer, or deposit shall be made, and the receipt of one of the cashiers of the said Bank shall be a full discharge to the person paying or transferring or depositing the same; and such monies and securities, and all costs of application in respect thereof, shall be dealt with by the said Court of Chancery of the county palatine in the same manner as the same might be dealt with by the High Court of Chancery or by the Lord High Chancellor, or any of the judges of the said High Court, if such monies or securities had been paid or transferred into or deposited in the Bank of England to the credit of the Accountant-General of that court; and the lands in respect of which such payment, transfer, or deposit shall be made may be dealt with in the same manner as if it had been made in manner prescribed by the Lands Clauses Consolidation Act: provided always, that no monies shall be so paid or deposited under or by virtue of the "Lands Clauses Consolidation Act, 1845," or any local or special act as aforesaid, in case the party who would have been entitled to the rents and profits of the lands in respect of which such monies shall be payable, or his or her guardian or committee in case of infancy or lunacy, shall at any time before such payment or deposit serve or cause to be served a notice in writing at the office of the company taking the lands, requesting them not to make the payment or deposit.

13. That in all matters over which the said court of the said county palatine may have jurisdiction it shall be lawful for the Vice-Chancellor for the time being of the said county palatine, when out of the limits of the jurisdiction of the said court, to hear and determine all pleas, demurrers, exceptions, applications for injunctions, both upon notice and ex parte, for dissolving injunctions, for the appointment of receivers, for the payment of money into and out of court, or for confirming

reports, and all motions, petitions, and other matters for facilitating the progress of any suit or business pending in the said court which he might lawfully hear and determine within the limits of the jurisdiction thereof; and all orders made by him upon the hearing of any pleas, demurrers, exceptions, and applications as aforesaid shall be as valid and binding upon the parties as if the same had been made within the limits of the jurisdiction of the said court.

14. That in all cases where any person who shall have commenced any suit or other proceeding, or entered an appearance in any suit or proceeding, in the said court of the county palatine, or shall come in as a creditor, claimant, or purchaser, or otherwise submitted to the jurisdiction of the said court, cannot, by reason either of his person or goods being out of such jurisdiction, be made amenable to the process of such court, and also in all cases where any such person as aforesaid shall have died, or become bankrupt or insolvent, and his real or personal representatives, or the assignees of his estate and effects, (as the case may be), or any of them, who may be necessary parties to the continuance of the said suit or proceeding, shall be out of the jurisdiction of the said court, it shall be lawful for the Vice-Chancellor of the said county palatine, upon special application being made to him, whether within or without the said county, by any party to or person interested in such suit or proceeding, founded upon an affidavit verifying the facts of the case, to order and direct that service of any order, notice, subpoena, letter missive, or other process shall be made and be deemed good service upon any such person, real or personal representative, or assignee as aforesaid, at any place within the United Kingdom of Great Britain and Ireland or the Isle of Man, upon such terms and in such manner as to the said Vice-Chancellor shall seem reasonable and proper, and afterwards, if it shall be necessary, upon an affidavit of such service had, to order an appearance to be entered for the person so served; and thereupon it shall be lawful for the said county palatine court to make such decree or order consequent upon such service so made as aforesaid as before the passing of this act, or under the provisions of this act, might have been made in case such service as aforesaid had been duly made within the jurisdiction of the said court.

15. That whenever a plaintiff or defendant in any suit or proceeding in which a decree or order shall have been made by the said county palatine court shall reside or withdraw his person or goods out of the jurisdiction of the said court, and also whenever any decree or order of the same court cannot be fully enforced by reason of the non-residence of any party to be bound thereby within the jurisdiction of the said court, then and in every such case it shall be lawful for her Majesty's High Court of Chancery, upon the application of any person entitled to the benefit of such decree or order, and upon the production of a transcript of such decree or order, or such part thereof respectively as cannot be enforced for the reasons aforesaid, under the signature of the registrar of the said county palatine court, and an affidavit that by reason of such non-residence or removal as aforesaid such decree or order, or such part thereof as aforesaid, cannot be enforced, to make such decree or order, or so much thereof respectively as cannot be enforced for any of the reasons aforesaid, a decree or order of the said High Court of Chancery, and thereupon such decree or order, or such part thereof respectively as aforesaid, shall and may be enforced against such of the parties bound by the same as shall be within the jurisdiction of the said High Court of Chancery, and all proceedings shall and may be had thereupon as if such decree or order had been originally made by the said High Court of Chancery, and all the reasonable costs and charges of and consequent upon such application shall and may be recovered in like manner as if the same were part of such decree or order.

16. That from and after the commencement of this act no petition of rehearing by way of appeal from any decree or order made by the Vice-Chancellor for the time being of the said county palatine shall be presented but within the space of six calendar months from the time of making the same, unless the Chancellor of the said duchy and county palatine, upon special application being made to him for that purpose, and after hearing counsel upon the merits of the case, shall otherwise direct: provided nevertheless, that the Vice-Chancellor of the said county palatine shall, at his own discretion, be at liberty to hear petitions for rehearing, and also to rehear any matters previously decided by him in the court of the said county palatine; but any order made on such rehearing shall be

deemed an original order, with reference to the right to appeal therefrom.

17. That the service of every writ of subpoena to attend and give evidence, or subpoena duces tecum, hereafter to be issued out of the said county palatine court, and served upon any person out of the jurisdiction thereof, shall be as valid and effectual for compelling the attendance of such person at any time and place to be named in such writ of subpoena, to be there examined, either before the registrar of the said court, as well in his capacity of examiner as in that of master of the said court, or before commissioners under any commission to be issued by the said court for the examination of witnesses, or to be examined *viva voce* at the hearing of any matter or suit before the said court or before the registrar, or for compelling the attendance of such person by virtue of any writ of subpoena duces tecum, and shall entitle the party suing out the same to all the like remedies, by action and otherwise, as if the same had been served within the jurisdiction of the said court; and in case the person so served shall not attend according to the exigency of such writ, it shall be lawful for the said county palatine court, upon affidavit of the personal service of such writ, to transmit a certificate of such default, under the hand of the registrar of the said court, to the Court of Queen's Bench in England, to the Court of Justiciary in Scotland, or to the Court of Queen's Bench in Ireland; and the said last-mentioned courts respectively shall and may thereupon proceed against and punish, by attachment or otherwise, according to the course and practice of the said respective courts, the person so having made default, in such and the like manner as they might have done if such person had refused or neglected to appear in obedience to a writ of subpoena or other process issued to compel the attendance of witnesses out of such last-mentioned courts respectively.

18. Provided always, and be it enacted, that the said last-mentioned courts respectively shall not in any case proceed against or punish any person, nor shall any such person be liable to any action, for having made default by not appearing in obedience to any writ of subpoena or writ of subpoena duces tecum or other process for that purpose issued under the authority of this act, unless it be made to appear to such courts respectively that a reasonable and sufficient sum of money to defray the expenses of coming and attending to give evidence, and of returning from giving such evidence, had been tendered to such person at the time when such writ of subpoena or writ of subpoena duces tecum or other process was served upon him.

19. That it shall be lawful for any commissioner for taking affidavits to be made use of in causes, matters, and things depending in the court of the duchy chamber of Lancaster, at Westminster, or for any Master Extraordinary of the High Court of Chancery, to administer an oath to or take the affirmation (where allowed by law) of any person out of the jurisdiction of the said county palatine court who shall be desirous of making an affidavit to be used in any suit or matter pending before such last-mentioned court; and every such affidavit so sworn or affirmed as aforesaid shall be as valid and effectual for all the purposes for which the same shall be required as if the same had been sworn or affirmed before the proper officer of the said county palatine court within the jurisdiction of the court; and every person wilfully forswearing himself or making false affirmation in such affidavit, and being lawfully convicted thereof, shall be liable to the penalties of wilful and corrupt perjury.

20. That it shall be lawful for the Chancellor of the Duchy and County Palatine of Lancaster for the time being to appoint a fit and proper person resident within the county palatine of Lancaster, to be and to be called "The Messenger of the Court of Chancery of the County Palatine of Lancaster," to attend upon the said county palatine court, and to execute the process thereof; and from time to time, upon the death, resignation, or removal of any such person, to appoint a successor to the said office; and that the person so appointed as aforesaid shall hold his office during the pleasure of the said Chancellor, and may be removed in a summary manner, and may and shall receive such fees for executing the process of the said court as the said Chancellor and the Vice-Chancellor of the said county palatine shall from time to time, by any general order to be made in pursuance of the provisions hereinafter contained, authorise and direct.

21. That the gaoler or keeper for the time being of her Majesty's gaol at Lancaster, called "Lancaster Castle," is

hereby authorised and required to receive into his custody in such gaol every person arrested and conveyed thither by such messenger as aforesaid, by virtue of any writ, warrant, or other process issuing out of the said county palatine court, and to produce and deal with such person as the said court shall from time to time direct; and every such person as aforesaid shall be maintained and provided for in the same manner as if he had been arrested and brought to such gaol by virtue of any writ, warrant, order, or other process issued out of the Court of Common Pleas of the said county palatine, or any of the superior courts of law or equity at Westminster, or committed for contempt of any of the said last-mentioned courts; and all the expenses of maintaining and providing for every person so arrested or committed to the said gaol as aforesaid shall be defrayed out of such portion of the county rate of the said county palatine as for the time being shall be applicable to the support of the debtors confined in the said gaol.

22. That from and after the appointment of such messenger as aforesaid all and singular the powers, authorities, and duties of the messenger for the time being of the duchy of Lancaster, and of any deputy appointed by him, shall absolutely cease and determine within the limits of the said county palatine.

23. And whereas it is expedient that the jurisdiction of the said county palatine in cases of lunacy should be abolished: be it therefore enacted, that from and after the passing of this act all the power, authority, and jurisdiction of the said county palatine court over the persons and estates of idiots and lunatics within the limits of the said county palatine shall cease and determine, except as to the cases of those persons who shall at the time of the commencement of this act have been found to be of unsound mind under or by virtue of any commission issuing from the said county palatine court, in all which last-mentioned cases the authority and jurisdiction of the said court of the county palatine shall continue in as full force and effect as if this act had not been passed, anything herein contained to the contrary notwithstanding.

24. And for removing all doubts in respect of the effect of an act passed in the 1 & 2 Vict., [c. 110,] intitled "An Act for abolishing Arrest on Means Process in Civil Actions, except in certain Cases, for extending the Remedies of Creditors against the Property of Debtors, and for amending the Laws for the Relief of Insolvent Debtors in England," whereby it was enacted, that all decrees and orders of courts of equity, whereby any sum of money, or any costs, charges, or expenses, should be payable to any person, should have the effect of judgments in the superior courts of common law, and the persons to whom any such monies, or costs, charges, or expenses, should be payable were to be deemed judgment creditors within the meaning of the said act, and all powers thereby given to the judges of the superior courts of common law with respect to matters depending in the same courts should and might be exercised by courts of equity with respect to matters therein depending, and all remedies thereby given to judgment creditors were in like manner given to persons to whom any monies, or costs, charges, or expenses, were by such orders or rules respectively directed to be paid, and also as to the effect of the several acts passed in the second and third years and in the third and fourth years of the reign of her Majesty amending the said recited act, be it declared and enacted, that all the remedies, authorities, and provisions of the recited act, so amended as aforesaid, and of the said acts amending the same, applicable to her Majesty's superior courts of common law at Westminster, and the judgments and proceedings therein, do extend and are applicable to the Court of Chancery of the county palatine of Lancaster within the limits of the jurisdiction thereof, and shall have the same effect in all respects as the judgments of any of her Majesty's said superior courts at Westminster under and by virtue of the said recited act, amended as aforesaid; and all powers and authorities thereby given to the judges or any judge of her Majesty's superior courts at Westminster, with respect to matters depending in the same courts, shall and may be exercised by the Chancellor of the said duchy or Vice-Chancellor of the said court of the county palatine with respect to matters therein depending and within the jurisdiction thereof: provided always, that no decree or order of the said last-mentioned court shall by virtue of the said recited act or this act affect any lands, tenements, or hereditaments, as to per-

chasers, mortgagees, or creditors, unless and until a memorandum or minute, containing the name, and the usual or the last known place of abode, and the title, trade, or profession of the person whose estate is intended to be affected thereby, and the name of the court, and the title of the cause or matter in which such decree or order shall have been made, and the date of such decree or order, and the amount of the sum of money, costs, charges, or expenses thereby made payable, shall be left with the prothonotary or deputy prothonotary of her Majesty's Court of Common Pleas at Lancaster, or some other officer to be appointed for that purpose by the said court, who shall forthwith enter the same particulars in a book in alphabetical order, by the name of the person whose estate is to be affected thereby; and such officer shall be entitled for every such entry to the sum of 2s. 6d.; and all persons shall be at liberty to search the same book, on payment of the sum of 1s.

25. That it shall be lawful for the Chancellor of the Duchy and County Palatine of Lancaster, (if he shall think fit), by an order under his hand, to direct that all attorneys and solicitors of any of the superior courts of law or equity at Westminster, and all attorneys of the Court of Common Pleas at Lancaster, on being registered as by this act provided, may appear and prosecute or defend any suit or proceedings in the Court of Chancery of the said county palatine, and that the office and privileges of the clerks in court of the said court shall cease and determine accordingly; and thereupon the said Chancellor, with the advice and consent of the Vice-Chancellor of the Court of Chancery of the county palatine, shall and he is hereby empowered to make all such orders as may be necessary or proper in respect of or consequent on the abolition of the said office.

26. Provided always, and be it enacted, that in case the Chancellor of the said duchy and county palatine shall make such order as aforesaid for the determination of the office of clerks in court, it shall be lawful for the said Chancellor, and he is hereby required, at any time within six calendar months after the date of such order, to receive any claims which may be made for compensation by any person holding that office at the time of such order, in respect of loss occasioned by the abolition of the office, and to award and determine the amount, if any, of compensation proper to be allowed to such claimant, either in a gross sum or by way of annuity for life, having regard to the loss sustained, and the conditions on which any such clerk in court may have been appointed to his office, and to any notice which may have been given to him that the same was to be held subject to the abolition or regulation thereof; and for the purposes aforesaid the said Chancellor shall have full power to examine the said clerks in court or any other persons upon oath, and to compel the attendance of all such persons, and the production of all necessary books, papers, and accounts and documents; and the said Chancellor shall, after such inquiry, certify under his hand the amount of compensation proper to be paid to every such clerk in court as aforesaid.

27. That in case of the abolition of the said clerks in court, every attorney or solicitor desirous of practising in the Court of Chancery of the said county palatine shall enter or cause to be entered his name and address with the registrar of the said court; and that, until all compensation to be awarded to the clerks in court or any of them shall have been paid and satisfied, such sum, not exceeding 5l., as the Chancellor of the said duchy and county palatine shall, by any general order to be inserted in the table of fees, from time to time direct, shall be paid by or on behalf of every such attorney or solicitor to the registrar, before his name shall be entered with the said registrar; and the monies so paid shall be paid by the registrar into court to an account to be entitled the "Fee Fund Account;" and further, that until all monies awarded as compensation to the said clerks in court or any of them shall have been paid and satisfied, it shall be lawful for the Chancellor of the Duchy and County Palatine of Lancaster to direct that the fees, or such portions as he shall think proper of any of the fees to be allowed by such table of fees as in this act is directed to be kept, shall be paid to the registrar, to be by him paid into court to the account of the said Fee Fund.

28. That the compensation to be awarded to the said clerks in court or any of them shall be paid from time to time out of the Fee Fund; and if the same be insufficient, then out of the general revenues of the said duchy, as the said Chancellor of

the said duchy and county palatine shall by warrant or order under his hand from time to time direct; but in case of their being paid out of the revenues of the said duchy, the same shall be repaid to the Receiver-General of the said duchy out of the Fee Fund, as the said Chancellor shall from time to time by order under his hand direct; and the payments directed to be made to the said Fee Fund shall continue until such repayment, and all other repayments directed to be made by this act out of the same, shall have been made.

29. That if the Chancellor of the Duchy and County Palatine of Lancaster for the time being shall at any time think fit to direct, by warrant under his hand, that a fixed salary shall be paid to the registrar of the Court of Chancery of the said county palatine, in lieu of fees, then and thenceforth there shall be paid and payable out of the said Fee Fund, or if the same be not sufficient for that purpose, then by the Receiver-General for the time being of the duchy of Lancaster, out of the revenues of the said duchy, as and for the salary to the registrar for the time being of the said court of the county palatine, such annual sum as the Chancellor for the time being of the said duchy and county palatine shall from time to time, by warrant under his hand, authorise and direct; and such salary shall grow due from day to day, but shall be payable on such days as the said Chancellor shall by such warrant as aforesaid direct, and shall be paid to the person entitled thereto, or his executors or administrators, free from all deductions out of the same, except the tax on income; and all payments made out of the revenues of the said duchy shall be repaid out of the said Fee Fund.

30. That, in the event of such fixed salary being awarded, the said registrar for the time being shall once in every year, or oftener, if required by the Chancellor of the said duchy, on such day as shall be appointed for that purpose by the Vice-Chancellor of the said county palatine, make out a full and true account of all fees received by him by virtue of his appointment during the preceding year, or subsequent to his last account, and shall have such account audited by the Vice-Chancellor, who is hereby required to audit the same, and if found correct to allow the same by putting his signature thereto and to a duplicate copy thereof; and that in such account and audit there may and shall be charged and allowed such sums of money as to the said Vice-Chancellor shall seem reasonable for the rent, taxes, and cleaning of the offices where the business of the county palatine court is transacted, for providing the said offices with coals, candles, and other necessary articles, and for the books and stationery supplied by such registrar for carrying on the business of the said offices, and for salaries of clerks, expenses of journeys, postages, and carriage of parcels, and all other incidental and necessary expenses.

31. That the said registrar shall within ten days after every such account shall be so audited as aforesaid transmit the duplicate copy of such account, signed by the Vice-Chancellor as before directed, to the auditor for the time being of the duchy of Lancaster.

32. That the said registrar shall from time to time, when he shall transmit the duplicate copy of the said account of fees to the auditor for the time being of the said duchy of Lancaster, as before directed, at the same time pay into court to the "Fee Fund Account" the total amount of fees which by such account shall appear to be due from the said registrar; and the said Chancellor of the Duchy and County Palatine of Lancaster in such case may and is hereby authorised and empowered to take from the registrar for the time being of the said county palatine court such security, by bond, recognisance, or otherwise, as to the said Chancellor shall seem fit, binding such registrar, together with one or more sufficient surety or sureties, in such penal sum or penal sums as to the said Chancellor shall seem meet, for the due accounting for all fees and for all sums of money which shall be received by such registrar by virtue of his appointment, or under any order of the said county palatine court respectively in any matter or suit pending in the said court.

33. That it shall be lawful for the said Chancellor of the Duchy and County Palatine of Lancaster, after he shall have directed a fixed salary to be paid to the registrar as aforesaid, from time to time to appoint, by writing under his hand, such competent persons as he shall think fit to act either as district or as deputy registrars of the said Court of Chancery of the said county palatine during the pleasure of the Chancellor for the time being of the said duchy and county palatine, and to assign

to any district registrar a district; and such district registrars within their districts, and such deputy registrars, shall and may have and exercise all such powers and authorities in respect of any matters referred to them by the said court by any general or special order as might be exercised by the registrar; and the fees, or salary payable out of fees, payable to every such district or deputy registrar shall be such as the Chancellor of the said duchy and county palatine, with the advice and consent of the Vice-Chancellor of the county palatine, shall direct, and shall be included in the table of fees hereby directed to be kept; and the acts of such district or deputy registrars in respect of all matters referred to them by the said court shall be as valid and effectual, and subject to revision, in the same manner as if they were performed by the registrar of the court.

34. Provided always, and be it enacted, that it shall not be lawful for any registrar, district or deputy registrar, of the said court, during the time he shall hold and exercise the office of registrar, district or deputy registrar, of the said court, either directly or indirectly, by himself, his partner, clerk, or other person, to practise in the said Court of Chancery of the county palatine, either as solicitor originally retained for any party in any matter pending in the said court, or as agent for any other attorney or solicitor practising in the said court, nor participate in any fees payable to any attorney or solicitor so practising; and that any registrar, district or deputy registrar, being proved to the satisfaction of the said court for the time being to have so practised, or to have participated in any fees as aforesaid, contrary to the meaning and intent of this act, shall be deemed to have committed a contempt of court, and shall be liable to dismissal from his office, or to the payment of such fine, or liable to such other punishment, as to the said court for the time being shall seem fit.

35. That in all proceedings under and by virtue of this act there shall be the same jurisdiction as to costs vested in the said court of the county palatine as such court could exercise in any other cause or matter; and the orders of the said court made in pursuance of this act shall be subject to appeal in the same manner in all respects as any other orders of the court.

36. That in this act the following words and expressions shall have the several meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction; (that is to say), "the said county palatine court" shall mean the Court of Chancery of the county palatine of Lancaster; words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number; and words importing the masculine gender only shall include females as well as males; and words importing individuals shall include bodies corporate.

37. That this act shall commence and take effect on the 1st day of November, 1850.

38. That this act may be amended or repealed by any act to be passed in the present session of Parliament.

CAP. XLIV.

An Act for taking an Account of the Population of Ireland.
[29th July, 1850.]

CAP. XLV.

An Act to continue an Act to amend the Laws relating to Loan Societies.
[29th July, 1850.]

- Sect. 1. The 3 & 4 Vict. c. 110, further continued.
2. Act may be amended &c.

CAP. XLVI.

An Act to suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.
[29th July, 1850.]

CAP. XLVII.

An Act for further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in England.
[29th July, 1850.]

- Sect. 1. Certain provisions of 10 & 11 Vict. c. 98, further continued.
2. Act may be amended &c.

CAP. XLVIII.

An Act to continue certain Acts relating to Linen, Hemp, and other Manufactures in Ireland. [29th July, 1850.]

CAP. XLIX.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mater, and Serjeant Majors of the Militia; and to authorise the Employment of the Non-commissioned Officers.
[29th July, 1850.]

CAP. L.

An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock-in-Trade or other Property to the Relief of the Poor.
[29th July, 1850.]

CAP. LI.

An Act for the Transfer of the Equitable Jurisdiction of the Court of Exchequer to the Court of Chancery in Ireland.
[29th July, 1850.]

Sect. 1. The jurisdiction of the Court of Exchequer as a court of equity, &c. abolished, and transferred to the Court of Chancery.

2. Suits depending and proceedings transferred to Court of Chancery to be carried on according to the practice of that court. Writs returnable in Exchequer to be returnable in Chancery. Lord Chancellor may remit to the Court of Exchequer causes partly heard by that court.

3. Lord Chancellor to make general orders for the taxation of costs, &c., by reason of the transfer.

4. Stocks, &c. standing in the name of the Accountant-General of the Court of Exchequer to be transferred into the name of the Accountant-General of the Court of Chancery, and to be applicable to such purposes as the same were respectively applicable to. Officers of Bank of Ireland, &c. directed to make the transfer.

5. Accountant-General of the Court of Exchequer to make up accounts with Accountant-General of Court of Chancery.

6. Stocks, &c. to be entered causewise, and the cash to become one common cash.

7. Funds transferred to Chancery not to be subject to usher's poundage.

8. Money directed by any act, &c. to be paid into the Bank to the credit of Accountant-General of the Court of Exchequer to become payable to the credit of Accountant-General of Court of Chancery. Stocks, &c. transferable into the name of the Accountant-General of the Court of Exchequer to become transferable into the name of the Accountant-General of Court of Chancery.

9. Exchequer compensation and fee fund invested under 6 & 7 Vict. c. 55, to be continued.

10. Power to Court of Chancery to direct the sum invested to be called in.

11. Court of Chancery to make orders as to the arranging of balances with the Bank, &c. Lord Chancellor may make orders as to charity-box fund.

12. Offices of the Court of Exchequer abolished.

13. Pleadings, &c., in causes, &c. in the Court of Exchequer as a court of equity to be delivered to such persons as the Master of the Rolls shall direct, and deemed records of Court of Chancery; certain other records to be transferred to Chancery; and certain other records to be retained in the Exchequer.

14. Power to Lord Chancellor, &c. to reverse, &c. orders of the Court of Exchequer.

15. Appointment of A. Lyle, Esq., to be a Master in Chancery.

16. Her Majesty empowered by letters-patent to appoint successors to Mr. Lyle. No new appointment to be made whilst there be four Masters, without the consent of the Treasury.

17. Power to new Master to appoint clerks.

18. New Master to have the like salary and retiring annuity as a Master appointed after passing of act.

19. Certain duties to be performed by the Master and officers of the pleas side of the Exchequer.

20. Fees in respect to revenue business to cease, and proceedings, &c. to be liable to law fund duties in lieu thereof, pursuant to 1 & 2 Geo. 4, c. 112.

21. The Master on the pleas side also to perform all other duties of the equity officers not otherwise provided for, and to audit sheriffs' accounts.

22. The Master of Exchequer to have to aid him in discharge of his duties one of the clerks now employed in the revenue business.

23. Master in Chancery to audit certain accounts now audited by remembrancers, pursuant to 7 & 8 Vict. c. 97; 7 Will. 4 & 1 Vict. c. 54; and 5 & 6 Will. 4, c. 55, s. 39.

24. Accounts of fines and penalties to be audited by chief or under secretary, under 6 & 7 Vict. c. 56, s. 21.

25. Persons deprived of offices or employments by this act entitled to claim compensation of the Treasury.

26. Compensations awarded under this act to be paid out of funds mentioned in 6 & 7 Vict. c. 55, and 7 & 8 Vict. c. 90. If funds inadequate, deficiency to be paid out of Consolidated Fund, to be repaid as herein mentioned.

27. Compensations to be a charge in favour of the Crown against suitors' funds.

28. Salaries of future Masters in Chancery in Ireland to be reduced to the same amount as paid to Masters in England.

29. Retired annuities of Masters fixed in same proportion as hitherto, according to altered salaries.

30. Power to diminish or increase number of officers, and their salaries.

31. Interpretation of terms.

32. Act may be amended &c.

(To be continued).

London Gazette.

TUESDAY, SEPTEMBER 24.

BANKRUPTS.

CHARLES RICHMOND POTTINGER, Hardwick-place, Commercial-road East, Middlesex, wine and spirit merchant, Oct. 9 at 12, and Nov. 13 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Baker & Parson, 4, Pancras-lane; Wilde, 8, Union-court, Old Broad-street.—Petition filed Sept. 11.

JOSEPH SEELIE, Freeschool-st., Horsleydown, Southwark, Surrey, rectifier and wine and spirit merchant, dealer and chapman, Oct. 9 at 1, and Nov. 14 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Ashurst & Son, 6, Old Jewry, London.—Petition filed Sept. 23.

JOHN JOWETT and **THOMAS JOWETT**, Coventry, Warwickshire, grocers and provision merchants, Oct. 1 and 31 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Dewes & Son, Coventry; Darke, New-man's-court, Cornhill, London.—Petition dated Sept. 13.

RICHARD BATTERSBY and **JAMES TELFORD**, Liverpool, ironfounders, dealers and chapmen, (trading together under the style or firm of Batterby, Telford, & Co.), Oct. 4 and Nov. 1 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Bell, Liverpool.—Petition filed Sept. 3.

WILLIAM LUPTON LOWE, Salford, Lancashire, victualler, dealer and chapman, Oct. 7 and Nov. 5 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Kirkland, Glasgow; Webster, Manchester.—Petition filed Sept. 13.

JAMES TAYLOR, Longacres, Rochdale, Lancashire, (carrying on business at Facit, Rochdale), cotton spinner and manufacturer, dealer and chapman, Oct. 8 and Nov. 5 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Lord, Rochdale.—Petition filed Sept. 16.

MARY BAKEWELL, Manchester, size manufacturer, dealer and chapwoman, Oct. 4 and Nov. 6 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Bagshaw & Sons, Manchester.—Petition filed Sept. 19.

WILLIAM RICHARDS, Devonport, Devonshire, printer and publisher of the Devonport Telegraph and Plymouth Chronicle newspaper, dealer and chapman, Oct. 3 and Nov. 7 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sols. Little & Billing, Devonport; Stogdon, Exeter; Soles & Turner, Aldermanbury, London.—Petition filed Sept. 20.

MEETINGS.

Edward Parratt, Park-villa West, Regent's-park, Middlesex, advertising agent, Oct. 4 at half-past 1, Court of Bankruptcy, London, last ex.—**O. Gray**, Great Tower-st., London, builder, Oct. 4 at 12, Court of Bankruptcy, London, last ex.—**Robt. Fulford**, Fulford's-place, Southgate-road, Middlesex, builder, Oct. 16 at 12, Court of Bankruptcy, London, aud. ac.—**John Robinson** and **Edward Moore**, Alverthorpe-with-Thornes, Wakefield, Yorkshire, spinners, Oct. 14 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Oct. 15 at 11, div.—**Abraham D. W. Desforyes**, Alford, Lincolnshire, brick-maker, Oct. 9 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Oct. 16 at half-past 12, div.—**Charles Smith**, Enfield, Middlesex, wine merchant, Oct. 15 at half-past 11, Court of Bankruptcy, London, div.—**Sarah Pattison**, Winchester, Hampshire, glazier, Oct. 15 at 12, Court of Bankruptcy, London, div.—**John Chisholm** and **Wm. Chisholm**, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumers, Oct. 15 at 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

William Raynham, Ladbroke-road, Notting-hill, Middlesex, builder, Oct. 16 at 11, Court of Bankruptcy, London.—**John Robinson** and **Edward Moore**, Alverthorpe-with-Thornes, Wakefield, Yorkshire, spinners, Oct. 15 at 11, District Court of Bankruptcy, Leeds.—**Robert Brown**, Howden, Yorkshire, tailor, Oct. 23 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—**John M'Gibbon** and **A. Galbreath**, Kingston-upon-Hull, merchants, Oct. 23 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.

To be granted, unless an Appeal be duly entered.

Joseph Arundel, Titchfield, Southampton, common brewer.—**Thomas Collingwood**, Abingdon, Berkshire, butcher.—**D. Pretyma** and **Geo. Hen. Hobson**, Cornhill, London, ironmongers.—**John Sharrock**, Toxteth-park, Lancashire, licensed victualler.—**William Pearson**, Maryport, Cumberland, iron-founder.—**W. Clayton**, Lostock, Walton-le-Dale, Lancashire, banker.

SCOTCH SEQUESTRATIONS.

Robert Walker, Kilmarnock, draper.—**William Anderson**, Arbroath, shipbuilder.—**James Henderson & Co.**, Dundee, merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Langton, Clitheroe, Lancashire, out of employment, Oct. 8 at 12, County Court of Lancashire, at Clitheroe.—**Edw. Davies**, Llanefydd, Denbighshire, miller, Oct. 16 at 11, County Court of Flintshire, at Mold.—**Wm. Gibbs**, Portsea, Hampshire, licensed common brewer, Oct. 22 at 10, County Court of Hampshire, at Portsmouth.—**Robt. Sawyer**, Fratton, Portsea, Hampshire, butcher, Oct. 22 at 10, County Court of Hampshire, at Portsmouth.—**Daniel Rolin**, King's Lynn, Norfolk, shoemaker, Oct. 5 at 2, County Court of Norfolk, at King's Lynn.—**Thomas Botevyle**, St. Chad, Shrewsbury, Shropshire, out of business, Oct. 8 at 10, County Court of Shropshire, at Shrewsbury.—**William Clayton**, Reading, Berkshire, printer, Oct. 11 at 10, County Court of Berkshire, at Reading.—**Nathaniel Clark Southern**, Wigtoft, near Boston, Lincolnshire, out of employment, Oct. 8 at 11, County Court of Lincolnshire, at Boston.—**Charles Jones**, Nash, Whaddon, near Buckingham, Buckinghamshire, pig dealer, Oct. 21 at 10, County Court of Buckinghamshire, at Buckingham.—**Thomas Ridyard**, Chorlton-upon-Medlock, Manchester, servant to a ginger-beer manufacturer, Oct. 4 at 2, County Court of Lancashire, at Manchester.—**Thos. Guilford**, Hulme, Manchester, overlooker of operative cotton spinners, Oct. 4 at 2, County Court of Lancashire, at Manchester.—**Robert Wilson**, Shiffnall, Shropshire, working gardener, Oct. 5 at 10, County Court of Shropshire, at Madeley.—**James Burford**, Hoo, Kent, agricultural labourer, Oct. 3 at 10, County Court of Kent, at Rochester.—**James Richard Clark**, Landport, Hampshire, plumber, Oct. 22 at 10, County Court of Hampshire, at Portsmouth.—**Thos. Morgan**, Upper Cantreff, Cantreff, Brecknockshire, farmer, Oct. 8 at 10, County Court of Brecknockshire, at Brecknock.—**Sarah**

Jukes, widow, Rodington, Shropshire, farmer, Oct. 4 at 10, County Court of Shropshire, at Wellington.—*Thomas Cook*, Sowton, Devonshire, saddler, Oct. 12 at 10, County Court of Devonshire, at Exeter.

Saturday, Sept. 21.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

George Clay the younger, Ledbury, Herefordshire, dealer in coal, No. 72,802 C.; *W. Hall*, assignee.—*J. W. Davenport*, Oxford, tailor, No. 72,529 C.; *J. Sinnister* and *J. J. Holland*, assignees.—*John Sanderson*, Blackfriars-road, Surrey, umbrella maker, No. 61,729 T.; *Thomas Foulkes*, assignee.—*Richard Morse*, Gloucester, shoemaker, No. 72,282 C.; *P. Chandler*, assignee.—*John Thomas Bowden*, Fitzroy-square, Kentish-town, Middlesex, tailor, No. 61,425 T.; *J. Whisler*, assignee.—*Robert Bedford*, Fen Drayton, Cambridgeshire, tailor, No. 72,385 C.; *Henry Clayton*, assignee.—*Thomas Tranter*, Linton, Herefordshire, farmer, No. 72,827 C.; *Jas. Cole*, assignee.—*James Wm. Richards*, Landport, Portsea, Hampshire, butcher, No. 72,610 C.; *James Crumpler*, assignee.—*H. E. Pardoll*, Maidenhead, Berkshire, lieutenant in her Majesty's 9th Regiment of Foot, No. 72,459 C.; *Louis Kitz* and *Frederica Sorge*, assignees.—*Henry Harley*, New Windsor, Berkshire, stonemason, No. 72,798 C.; *Jas. Bate*, assignee.—*Geo. B. Scholes*, Hulme, Manchester, commercial traveller, No. 71,524 C.; *Robert Ockleston*, new assignee, in place of *Martin Middleton*, removed.

Saturday, Sept. 21.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

M. John Rowe, Parry-street, Skinner-street, Somers-town, Middlesex, surgeon: in the Debtors Prison for London and Middlesex.—*John Lake*, High Baring, Essex, shoemaker: in the Debtors Prison for London and Middlesex.—*Geo. Wm. Day*, Tabernacle-row, City-road, Middlesex, milkman: in the Queen's Prison.—*Samuel King*, Hallford-street, Lower-road, Islington, Middlesex, cab proprietor: in the Queen's Prison.—*John Thos. Bennett*, Hemsworth-street, Hoxton Old-town, Middlesex, not in any business: in the Queen's Prison.—*John Stedman*, London-terrace, London-fields, Hackney, Middlesex, and Great Tower-street, London, commission agent: in the Debtors Prison for London and Middlesex.—*Chas. Shaw*, South-street, Greenwich, Kent, and Fish-street-hill, London, attorney-at-law: in the Debtors Prison for London and Middlesex.—*E. Jones*, Hornsey Nursery, Hornsey, Middlesex, nurseryman: in the Debtors Prison for London and Middlesex.—*John James Pegram*, Upper Berkeley-street, Hyde-park-gardens, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Thos. Beardall*, Manchester, attorney's clerk: in the Gaol of Lancaster.—*Wm. Hind*, Aydon, Whitehouse, Northumberland, farmer: in the Gaol of Morpeth.—*John Taylor*, Flay Brock, near Birkenhead, Cheshire, publican: in the Gaol of Chester.—*John O'Riordan*, Clay-path, Durham, hat manufacturer: in the Gaol of Durham.—*Joseph Webb White*, Fendleton, Lancashire, stage coachman: in the Gaol of Derby.—*Richard Fry*, Alphington, Devonshire, butcher: in the Gaol of St. Thomas the Apostle.—*Francis Wells*, Poulton-cum-Seacombe, Cheshire, livery-stable keeper: in the Gaol of Chester.—*William Hill Woodgate*, Plymouth, Devonshire, cabinet maker: in the Gaol of St. Thomas the Apostle.—*Charles Gaseley*, Bedford, victualler: in the Gaol of Bedford.—*Isaac Haynes*, Bristol, shipping agent: in the Gaol of Bristol.—*James Roger Havard*, Dowlais Iron-works, Glamorganshire, innkeeper: in the Gaol of Cardiff.—*George Edward Self*, Millbrook, Southampton, butcher: in the Gaol of Winchester.—*Henry Southwell Beechero*, Liverpool, commercial traveller: in the Gaol of Lancaster.—*Edmund Silcos*, Preston-cum-Sutton, Pointz, Dorsetshire, beer-house keeper: in the Gaol of Dorchester.—*George Charles Henry Hitchings*, Winchester, Hampshire, surgeon: in the Gaol of Winchester.—*William Roddie Donnan*, Exeter, tea dealer: in the Gaol of Exeter.—*John Windley*, Liverpool, lodging-house keeper: in the Gaol of Lancaster.—*Edward Thomas*, Clifton, Bristol, licensed victualler: in the Gaol of Bristol.—*James Rochester*, West Hartlepool, Durham, blacksmith: in the Gaol of Durham.—*Samuel Thomas Crouch*, Bridport, Dorsetshire, travelling jeweller: in the Gaol of Wilton.—*Henry Buggeln*, Beb-

ington, near Liverpool, commission agent: in the Gaol of Lancaster.—*T. Chapman*, Bootle, near Liverpool, labourer at the Liverpool Docks: in the Gaol of Lancaster.—*D. Cusnell*, Liverpool, tide-waiter in her Majesty's Customs at Liverpool: in the Gaol of Lancaster.—*Thos. Greaves*, Kingston-upon-Hull, attorney: in the Gaol of Kingston-upon-Hull.—*Street Hill Foden*, Blackburn, Lancashire, cotton manufacturer: in the Gaol of Lancaster.—*William Smith*, Manchester, joiner: in the Gaol of Lancaster.—*Henry John Cohen*, Liverpool, railway clerk: in the Gaol of Lancaster.—*Nelson Lees*, Oldham, Lancashire, cotton spinner: in the Gaol of Lancaster.—*John Cordingley*, Manchester, joiner: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Dorsetshire, at DORCHESTER, Oct. 8.

Edmund Silcos, Preston-cum-Sutton; Pointz, beer-house keeper.

At the County Court of Gloucestershire, at BRISTOL, Oct. 9 at 11.

Alexander Augustus Younge, Bristol, in no business.

At the County Court of Hampshire, at the CASTLE or WINCHESTER, Oct. 8.

George Chas. Hen. Hitchings, Winchester, out of business.—*George Edward Self*, Millbrook, butcher.

At the County Court of Lincolnshire, at LINCOLN, Oct. 1 at 10.

Joseph Stephenson the younger, Axholme, farmer.—*Jeremiah Ulyat*, Crowland, jobber.

INSOLVENT DEBTOR'S DIVIDEND.

Jonathan Tilley, Waterloo-place, Albany-road, Camberwell, Surrey, coal meter: 10s. 3d. in the pound, Smith's Dockhead, Surrey.

MEETING.

Hugh Doherty, Esq., Devonshire-street, Portland-place, Middlesex, Oct. 12 at 12, Moore's, Warrford-court, London, sp. aff.

FRIDAY, SEPTEMBER 27.

BANKRUPTS.

HENRY FRANCIS ROSS, West Cowes, Isle of Wight, Southampton, and *JOHN WYLLIE BARROW*, Philpot-lane, Fenchurch-street, London, commission and shipping agents, Oct. 5 at 2, and Nov. 12 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Tilson & Co., 29, Coleman-street, London.—Petition dated Sept. 16.

THOMAS PROBYN, late of Blackman-st., Newington, Surrey, and now of High Holborn, Middlesex, licensed victualler, dealer and chapman, Oct. 7 and Nov. 7 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Holmer, Bridge-st., Southwark.—Petition dated Sept. 20.

HENRY WILKINS, High-street, Kensington, Middlesex, draper, dealer and chapman, Oct. 4 at 1, and Nov. 7 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Sol & Turner, Aldermanbury.—Petition dated Sept. 19.

WILLIAM KEEPING, Lion Brewery, East-st., Walworth, Surrey, common brewer, Oct. 9 at half-past 1, and Nov. 14 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Wright & Bonner, 15, London-st., Fenchurch-street.—Petition filed Sept. 18.

EDWARD HAMLIN KIDDLE, Valentine-place, Webber-st., Blackfriars-road, Surrey, miller, dealer and chapman, Oct. 9 at half-past 11, and Nov. 14 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. W. W. & R. Wren, 32, Fenchurch-street.—Petition filed Sept. 24.

JOHN THOMAS BRAMELD, Tichborne-st., and Great Windmill-st., St. James's, Westminster, Middlesex, china, glass, and earthenware dealer, dealer and chapman, Oct. 9 and Nov. 19 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Wiglesworth & Co., 5, Gray's-in-square.—Petition filed Sept. 26.

HENRY LLOYD and *THOMAS LLOYD*, Carmarthen, drapers and grocers, dealers and chapmen, Oct. 10 at 12, and Nov. 7 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. W. & C. Bevan, Bristol; Sol. & Turner, Aldermanbury, London.—Petition filed Sept. 25.

JAMES HORSFIELD, Wheelock, near Sandbach, Cheshire, coal dealer, dealer and chapman, Oct. 8 and Nov. 1 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Bagshaw & Sons, Manchester.—Petition filed Sept. 20.

MEETINGS.

Wm. Webb Dunn, Bath, Wm. Keene, Bath, Somersetshire, Henry Brooks Marriott, Llanganoyd, Glamorganshire, and Samuel Brewer Waring, Bristol, brewers, Oct. 10 at 11, District Court of Bankruptcy, Bristol, ch. ass.—John Cormie, Birmingham, manufacturer of earthenware, Oct. 8 at 11, District Court of Bankruptcy, Birmingham, ch. ass.—Henry Augustus Hope, Trinity-square, Surrey, carrier, Oct. 11 at 11, Court of Bankruptcy, London, last ex.—Edw. R. Arthur, North Shields, Northumberland, shipowner, Oct. 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—Jos. Wilbraham, Church-lane, Whitechapel, Middlesex, and Aldgate, London, builder, Oct. 11 at 11, Court of Bankruptcy, London, aud. ac.—John Hind and Roger Warbrick, Liverpool, curriers, Oct. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Oct. 22 at 11, div.—C. Smith Fenwick, Tyne-mouth, Northumberland, banker, Oct. 15 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 17 at 11, fin. div.—Robert Fairley, Sunderland, Durham, chemist, Oct. 17 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 18 at 11, div.—John Wallace, Carlisle, Cumberland, grocer, Oct. 15 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 17 at 12, div.—Chas. Wm. Williamson, Birmingham, baker, Oct. 15 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—John King, Buckingham, scrivener, Oct. 24 at 1, Court of Bankruptcy, London, div.—Alexander Inglis, Portsea, Southampton, draper, Oct. 21 at 12, Court of Bankruptcy, London, div.—Joseph Elliott, Daventry, Northamptonshire, victualler, Oct. 21 at 1, Court of Bankruptcy, London, div.—P. R. Morrison, Hammersmith, Middlesex, merchant, Oct. 17 at 1, Court of Bankruptcy, London, div.—Richard Heath, Three Colt-street, Limehouse, Middlesex, brassfounder, Oct. 24 at 12, Court of Bankruptcy, London, div.—Robt. Skinner, West Malling, Kent, brickmaker, Oct. 24 at 2, Court of Bankruptcy, London, div.—D. Prelyman and G. H. Hobson, Cornhill, London, ironmongers, Oct. 21 at 2, Court of Bankruptcy, London, div.—Wm. Henderson, Wolverhampton, Staffordshire, tin plate manufacturer, Oct. 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—Saml. Knight, Primethorpe, Broughton Astley, Leicestershire, hosier, Oct. 24 at 12, District Court of Bankruptcy, Birmingham, div.—Jesse Hilton and Jonathan Fisher, Foleshill, Warwickshire, silk manufacturers, Oct. 22 at 12, District Court of Bankruptcy, Birmingham, div.—C. D. Johnson, Liverpool, victualler, Oct. 22 at 11, District Court of Bankruptcy, Liverpool, div.—Geo. Byford, Liverpool, wholesale grocer, Oct. 23 at 11, District Court of Bankruptcy, Liverpool, div.—Wm. Cornish, Bristol, cabinet-maker, Oct. 17 at 11, District Court of Bankruptcy, Bristol, div.—William Hamley, Crockernwell, Devonshire, victualler, Oct. 23 at 1, District Court of Bankruptcy, Exeter, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

George H. Ward and Bailey Griffith, Bear-alley, Farringdon-st., London, printers, Oct. 18 at 2, Court of Bankruptcy, London.—Edward D. Busker, Piccadilly, Middlesex, coach-builder, Oct. 21 at 11, Court of Bankruptcy, London.—George C. Baylis, Cardiff, Glamorganshire, dealer in flour, Oct. 23 at 11, District Court of Bankruptcy, Bristol.—N. ledge, Bath, silversmith, Oct. 21 at 11, District Court of Bankruptcy, Bristol.—Thomas Williams, Trowbridge, Wiltshire, auctioneer, Oct. 23 at 11, District Court of Bankruptcy, Bristol.—John Wallace, Carlisle, Cumberland, grocer, Oct. 17 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—George Shepherd, Modbury, Devonshire, linendraper, Oct. 3 at 1, District Court of Bankruptcy, Exeter.—Thomas Guycock, Kingsbury Episcopi, Somersetshire, miller, Oct. 30 at 1, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Thomas Ellen, Great Russell-st., Bloomsbury, Middlesex, al merchant.—William Carmalt, Romsey, Southampton, baker.—Benjamin Rawlings, Queen's-row, Finsloo, Middle-

sex, linendraper.—J. Richardson, Edgeware-road, Middlesex, ironmonger.

SCOTCH SEQUESTRATIONS.

John Syme, Pittendriach, cattle dealer.—William Beldon, Craigbank, New Cumnock, contractor.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Gore, Bristol, medical galvanic apparatus manufacturer, Oct. 2 at 11, County Court of Gloucestershire, at Bristol.—Humphrey M. Freeston, Piazza Hotel, Covent-garden, Middlesex, lieutenant in her Majesty's Royal Navy, Oct. 19 at 11, County Court of Somersetshire, at Bath.—Thomas Bennett, Cheltenham, Gloucestershire, butcher, Oct. 22 at 10, County Court of Gloucestershire, at Cheltenham.—William Bashy, Hungate, Darlington, Durham, surgeon's assistant, Oct. 16 at 10, County Court of Durham, at Darlington.—Arthur Verey, Salford, Lancashire, bookkeeper, Oct. 9 at 12, County Court of Lancashire, at Salford.—Henry Jones, Bangor, Carnarvonshire, tailor, Oct. 9 at 10, County Court of Carnarvonshire, at Bangor.—David Davies, Courtia, Aber, Carnarvonshire, joiner, Oct. 9 at 10, County Court of Carnarvonshire, at Bangor.—Thomas Beard, Tetbury, Gloucestershire, timber dealer, Oct. 25 at 11, County Court of Wiltshire, at Malmesbury.—Jos. Callendar, Stockton-on-Tees, Durham, joiner, Oct. 15 at half-past 9, County Court of Durham, at Stockton-on-Tees.—Thos. D. Thayer, Walcot, Bath, farrier, Oct. 12 at 11, County Court of Somersetshire, at Bath.—G. Osborne, Moorfields, St. George's, Gloucestershire, carpenter, Oct. 9 at 11, County Court of Gloucestershire, at Bristol.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Thomas Heaton, Upholland, near Wigan, Lancashire, coal proprietor, No. 72,729; Thomas Mills, assignee.—John Webster, Manchester, assistant to a publican, No. 72,853; Charles Waller, assignee.—Thomas Dod, Liverpool, ironmonger, No. 72,869; William Sadlow, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Oct. 11 at 11.

Henry Moran, Bury, licensed victualler.—Baynes Pinder, Burnley, attorney-at-law.—Nelson Lees, Oldham, out of business.—Stretthill Foden, Blackburn, cotton manufacturer.—Miles Potter, Leyland, joiner.—Wm. Smith, Manchester, out of business.—John Cordingley, Manchester, out of business.—Thomas Fielding, Blackburn, joiner.—James Howarth, Hantley-brook, near Bury, out of business.—James Moore, Liverpool, grocer.—George Kirham, Newton-heath, near Manchester, out of business.—Henry Ogden, Pilkington, out of business.—John Smith, Manchester, out of business.—Henry John Cohen, Liverpool, out of employment.—Henry Buggeln, Bebbington, near Liverpool, broker.—Thos. Chapman, Bootle, near Liverpool, labourer.

At the County Court of Devonshire, at EXETER, Oct. 12 at 10.

William Roddie Dennon, Exeter, tea dealer.

At the County Court of Glamorganshire, at CARDIFF, Oct. 14.

David Thomas, Newbridge, mineral surveyor.

At the County Court of Lincolnshire, at LINCOLN, Oct. 7 at 10.

Robert Pest, Kirkstead, out of business.

At the County Court of Durham, at DURHAM, Oct. 11.

Thomas Fenwick the younger, Leamside-lane, near Rainton-gate, West Rainton, mason.—James Rochester, West Hartlepool, blacksmith.—John O'Riordan, Durham, hat manufacturer.

At the County Court of Wiltshire, at SALISBURY, Oct. 12.

Isaiah Ward, Devizes, house decorator.—Thomas Goddard, Ramsbury, shoemaker.

MEETING.

Joseph Bullock, Oxford, out of business, Oct. 15 at 12, New Inn, Leachlade, sp. aff.

THE STAMP ACT AND TRUSTEE ACT, 1850.

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The Jurist

No. 717—Vol. XIV.

OCTOBER 5, 1850.

PRICE 1s.

* * * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

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Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Crown Cases Reserved. .	{ ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, OCTOBER 5, 1850.

A SHORT time before the Vacation a pamphlet* was published containing a most desperate onslaught upon the resolutions framed by the Masters in Chancery for the improvement of the mode of conducting business in their offices. We were not able to notice this production before the rising of the Courts, and we have, therefore, deferred it till a period when the approximation of the time for the re-opening of the Masters' offices, may make the subject more attractive to our practical readers. We are not going to criticise with any minuteness the style or the animus of Mr. Carrighan's pamphlet, their defects being too patent to require any dissection at our hands. Suffice it to say, that the animus is that of most determined and headlong hostility to every change in general, and to the change in the routine of the Masters' offices in particular; and that the style is a combination of the vituperative and the sneering. Nevertheless Mr. Carrighan's pamphlet is sufficiently plausible and well written to do mischief, and therefore is not undeserving of notice.

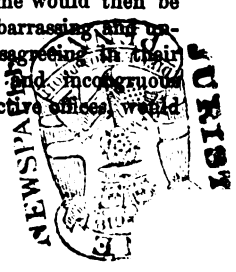
The fundamental feature of the General Orders of the 3rd June, and of the Masters' resolutions, is, as everybody now knows, the abolition of the hour-warrant system, and the substitution for it of cause lists; and against this and its consequences it is that Mr. Carrighan's wrath and eloquence are directed. Now, we have no hesitation in saying, that if the Masters' resolutions were practically as bad as it is possible to imagine them, they would still have done good, because they have struck down the abominably bad antecedent system, and have compelled even such fierce antagonists

of law reform as Mr. Carrighan, to suggest improvements. It is not new in politics, that with a certain class of politicians, so long as it appears possible to ward off all change, the argument is, that the existing system is perfect; but that when at length it is seen that the existing system is bad, and must go sooner or later, then the battle is fought in detail against every change specifically proposed, and the argument is, "The change you propose cannot work. Why, if you must change, do you not do so and so, which would be far more efficient?" Of this school are Mr. Carrighan and his party in regard to Chancery reform. They at length concede indirectly, if not in terms, that the old hour-warrant system had defects, and that it may be possible to substitute something more perfect. Hear Mr. Carrighan on this point.

"The pretence," he says, "for these changes, I apprehend, is the circumstance, which occasionally happens, of the Master being disengaged during the interval, or a portion of the interval, of the hour assigned to a warrant, owing to the parties either not attending the warrant, or to the business in hand not occupying the whole hour. Now, is there no remedy for this, short of the extravagant one proposed? I think there is. Why not, instead of hourly warrants, as heretofore, issue them returnable at intervals of half, or even, in small matters, a quarter of an hour from each other?"

"Adopt this simple change, and 'cedit questio'—no more need be said. The public time would then be sufficiently economised, and the embarrassing and unseemly spectacle of ten Masters disagreeing in their views, and promulgating opposite and incongruous modes of proceedings in their respective offices, would be avoided.

* Observations on the Resolutions &c. By T. Carrighan, Solicitor. London: Wildy. 1850.



"By changing the system of hourly into half-hourly warrants, the amount of cases disposed of would be doubled. By issuing, in simple cases, four warrants within the hour, the rate of business would be quadrupled. The only inconvenience which could be alleged against this mode is one which could be easily obviated. It might be urged, that the matters which are discussed before the Master are of unequal importance; that some of them, from their nature, are calculated to occupy more time in discussing than others; and that it would frequently happen, that the half or the quarter of an hour, as the case may be, might be too much in one case, and not enough in another. Now, this difficulty may be sufficiently got rid of by classifying the cases, and assigning the early portion of the day to those cases (observing here the principle of four warrants to the hour) which are of *minor* importance, such as applications for time to answer, to amend, to name commissioners, to consider decrees and orders, creditors' claims of a simple character, &c., and appropriating the second and larger division of the day to those cases which, from their more important and special character, are likely to absorb the whole time allotted to the warrant, which, with respect to this class of cases, I would suggest, should be half an hour.

"Should, in any case, a warrant occupy more than the allotted time, and thus encroach upon the succeeding warrant, the inconvenience to the party thus kept waiting would be inconsiderable, and not to be named when contrasted with the monstrous inconvenience and physical impossibilities of the projected scheme.

"On the contrary, should the discussion occupy less than the allotted time, or should the warrant go off by reason of the non-attendance of the parties, the interval occupied (from the warrants following each other so closely) would be so small, that the loss thereby to the suitor would, in the long run, be nothing compared to the loss of time, delay, and expense which would befall him under the suggested innovations—in fact, it would be inappreciable."

This admission of the imperfection of the old system is of itself valuable. Whether the suggestions are practically so, is a matter which the Masters may perhaps consider, when they have tried somewhat extensively their own plans, and found them fail.

Now let us proceed to consider the way in which the Masters have attempted to work out in practice their resolutions. Their rules differ in detail, but agree in the main. They all provide for the separation of short from long matters. Master Tinney's rules provide for taking certain business, of its nature unopposed and short, from the sitting of the Master till half-past eleven every day; for taking all pleading business at and after three in the day; and as to all other business, they provide that there shall be a list of short causes to be taken from half-past eleven to half-past twelve, and of long causes to be taken from half-past twelve. The rules of the other Masters differ a little in detail from these, but all provide for a list of short causes to be taken at a certain time, and a list of long causes to be taken at another time; every cause to be heard and disposed of, if practicable, in its turn.

The objection to this system is said to be the uncertainty of the time at which any cause may be called on,

and the consequent frequently useless consumption of the solicitor's time, in attending or having somebody in attendance to watch. To illustrate the anticipated difficulty and inconvenience, Mr. Carrighan frames an imaginary synopsis of the assumed engagements for one day of a solicitor, (having a business of from thirty to eighty Chancery suits, besides common law and other matters), which is as follows:—

Lord Chancellor.	V. C. England.	V. C. Bruce.	V. C. Wigram.	M. Rolls.	Master Dunderdon.	Master Hens.
Sparrow v. Hawk. Appeal in Paper.	NIL	Gull v. Gudgeon. Cause in Paper.	Patrick v. Scott. Minutes to be spoken to.	NIL	Bull v. Wrangle. Warrant on proposal for Receiver.	NIL

Master Farrer.	Master Ross.	Master Senior.	Master Richards.	Master Brougham.	Master Tinney.	Master Kindersley.
St. George Steam Company. Ex p. Pym. Meeting to inquire Contributors.	NIL	Badger v. Figg. Warrant on creditors' claims.	NIL	NIL	Pigeon v. Pike. To consider decree.	NIL

Master Elliot.	Taxing Master Miles.	Taxing Master Waterwright.	Taxing Master Barnes.	Taxing Master Pollett.	Taxing Master Perkes.	Taxing Master Martineau.
Fox v. Ginn. Warrant to settle Conveyance.	NIL	NIL	Smith v. Wiggins. Warrant at 12 to tax costs.	NIL	Brown v. Badger. Warrant to tax costs.	NIL

Of course, what is meant to be proved by this table is, that if all the matters in which a solicitor is engaged in a given day, come on at once, he cannot attend them all—a conclusion at which one might arrive without any very elaborate demonstration. But the fallacy of the argument against the new regulations, as compared with the old ones, is, the taking it for granted that, under the old, a solicitor, with a great mass of business, could insure that each portion should come on at a different time; and that, under the new system, they must all come on at the same time. If, under the old system, a solicitor had an appeal in the Chancellor's Court, two causes in the Vice-Chancellors' Courts, and one long warrant in a winding-up case, he could no more be sure of being able to attend to his different other warrants in the Masters' and Taxing Masters' offices, than he can under the new system. That the warrants in the Masters' offices were at fixed times, did not help him, because the appeal and the causes by their rank, and the winding-up warrant by virtue of its length, would necessarily, if they came on, exclude the ordinary warrants; and they required to be watched, while the solicitor was attending any such ordinary warrants. It might happen under the old system, and it may happen under the new one, that, with such a multiplicity of business as is portioned out in Mr. Carrighan's table, all things should so arrange themselves as that each portion should come on at a separate time; such a combination would be very unlikely, however, under either or any system; and the whole difficulty, in effect, resolves itself into that of watching, to enable the solicitor to attend, by

himself or by his clerks, the business of the greatest importance; or to oscillate between different courts and different offices, giving a portion of attention to each.

We do not say that it is improbable, that, under the new system, a very extensive business may require a larger staff of clerks, if every portion of it is to be attended to as it is called on. But the result of that will be, that, if the solicitor is at greater expense, he will get through his business with proportionate rapidity, and therefore with proportionate advantage. In fine, the old system enabled a solicitor to undertake more business than he could get through, except by allowing his client to be delayed, and the time of public officers to be wasted; while the new one will compel him to get through his business as fast as the public officers are ready to dispatch it, to the saving of the time of the client and the public. But inasmuch as with solicitors, as well as with other professional men, the measure of their annual gains is the business done, and not merely the business undertaken to be done, it is difficult to see how a solicitor, with a large and continually inflowing current of business—and it is only on behalf of such that the cry of alarm is raised—can be a loser by a system which will enable him to get through a larger quantity of business in any given period.

PUBLIC GENERAL STATUTES.

13 & 14 VICTORIA.—SESSION 3.

(Continued from p. 353).

CAP. LII.

An Act to make better Provision for the Interment of the Dead in and near the Metropolis. [5th August, 1850.]

Sect. 1. London, Westminster, Southwark, and the places named in Schedule (A.), to form "The Metropolitan Burial District."

2. General Board of Health to execute this act. Her Majesty may appoint an additional member. Board incorporated.

3. Power to board to appoint and remove assistant secretary, treasurer, &c.

4. Appointments limited to duration of appointments under Public Health Act.

5. Board to provide offices.

6. Power to board to provide burial grounds, and enlarge them if necessary. Power to purchase lands for burial grounds.

7. Power to board to purchase cemeteries.

8. Before purchase of land for burial grounds the board to give six weeks' notice by advertisement for tenders.

9. Board to inclose and lay out burial grounds, erect buildings, and build chapels.

10. Power to board to appoint chaplains, who shall be licensed by and subject to the jurisdiction of the bishop.

11. A portion of each burial ground not to be consecrated.

12. Notice to be given in the London Gazette when a burial ground is provided under this act.

13. Queen in Council may, upon report of board, order discontinuance of interment in churchyards, &c.

14. Inhabitants of parishes comprised in the district, or within any part of the district, in which interment is ordered to be discontinued, to have right of sepulture in burial grounds provided under this act.

15. As to interments in unconsecrated portions of burial grounds.

16. After publication of order for discontinuing interment, no burial to take place contrary thereto.

17. Saving of certain rights to bury in vaults, &c.

18. Saving as to St. Paul's Cathedral and Westminster Abbey.

19. Order to be suspended till compensation money is paid.

20. Power to remove bodies to burial grounds provided under this act.

21. Fees to be paid upon interments.

22. Management of burial grounds to be vested in the board.

23. Board may make regulations as to burial grounds and interments therein.

24. Board not to permit burials within 200 yards of any dwelling, or under or close to chapels.

25. Register of burials to be kept, and to be evidence, and subject to the regulations of 6 & 7 Will. 4. c. 86, as to searches.

26. Certificate of registry of death, or coroner's certificate, to be delivered to officer appointed to keep burial registers.

27. Board may provide houses for reception and care of bodies previously to interment.

28. Board may make provision for funerals being conducted at fixed charges.

29. Board of Health may enter into contracts with railway companies for carrying out bodies, together with mourners, &c.

30. Board may provide for removal, on request of relatives, of bodies to houses of reception.

31. Additional member and officers of board to be paid such salaries as Treasury may appoint.

32. Compensation to incumbents.

33. Compensation to clerks and sextons.

34. Compensation to be made for fees payable for parochial purposes.

35. Debts incurred by parishes for purchase of burial grounds to be discharged by board where the parishes are not entitled to be compensated by annuity.

36. Compensation in respect of non-parochial burial grounds.

37. Power to compensate individual rights in closed burial places by the grant of equivalent rights in the new grounds.

38. Fee may, at the request of relatives, be paid to minister performing service on interments in unconsecrated ground.

39. Money received by officers to be paid into the Bank.

40. Treasurer and others intrusted with money to give security for duly accounting for the same.

41. As to payments out of the Bank.

42. Expenses under this act to be defrayed out of monies received thereunder.

43. Salary of additional member of Board of Health.

44. Fees, payments, and rates may be mortgaged. No priority amongst mortgagees.

45. Commissioners of Public Works, acting under 5 & 6 Vict. c. 9, may make advances to the board.

46. Money may be borrowed at lower rates of interest to pay off securities bearing a higher rate.

47. Power to borrow money to pay off former mortgages.

48. Form of mortgage. Register of mortgages.

49. Repayment of money borrowed at a time agreed upon.

50. Interest on mortgages to be paid half-yearly. Repayment of money borrowed when no time or place has been agreed upon. Interest to cease on expiration of notice to pay off a mortgage debt.

51. Account books to be open to mortgagees.

52. Transfer of mortgages. Register of transfers.

53. Board may form a sinking fund for discharge of mortgages.

54. After discontinuance of interment, in case of deficiency of other payments, board may order overseers to levy a rate, not to exceed 1d. in the pound in any one year, according to the valuation for county-rate.

55. Who to be deemed overseers within this act.

56. Overseers shall collect the burial-rate in the same manner as the poor-rate. Receipt of the treasurer shall be a sufficient discharge.

57. Overseers, on non-payment of the rate, shall be distrained upon; and in default of sufficient distress, the arrears may be re-levied on the parish.

58. Power to board, &c. to inspect county-rates, &c.

59. Provision for assessing and levying rate in those places within the district where there is no poor-rate. Mode of making the assessment. Allowance to assessors.

60. When assessment is made, notice thereof shall be given, and all persons included in the assessment shall have liberty to inspect it, &c. Penalty for refusing such inspection.

61. Collection of the rate charged in such assessment.

62. Appeal against assessment. The assessment may be altered to relieve the appellant, without altering any other part of it.

63. Accounts to be kept. Books may be inspected. Penalty for refusing inspection. Balancing accounts. Annual statement. Public notice of statement. Statement, &c. to remain at the office for inspection.

64. Certain clauses of 10 & 11 Vict. c. 65, incorporated with this act.
65. Board to be assessed to rates in respect to burial grounds provided under this act.
66. Audit of accounts by auditors of public accounts.
67. Board may contract.
68. Purchases and works not to be made or done without previous sanction of the Treasury.
69. Certain provisions of 8 & 9 Vict. c. 18, as to cemeteries and compensation, incorporated with this act.
70. Certain provisions of same act as to lands taken by agreement only incorporated with this act.
71. Receipt of company to be an effectual discharge.
72. Power to dispose of lands not wanted.
73. Annual reports and abstract of accounts to be made, and laid before Parliament.
74. Power to convey chapels in out-lying parochial burial grounds to trustees for the parishes in which they are situate.
75. Provision for dissolving cemetery companies.
76. Interpretation of terms.
77. Short title.

CAP. LIII.

An Act for taking Account of the Population of Great Britain.
[5th August, 1850.]

CAP. LIV.

An Act to amend the Acts relating to Labour in Factories.
[5th August, 1850.]

CAP. LV.

An Act to amend an Act of the last Session for amending an Act for the Regulation of Municipal Corporations in Ireland, so far as relates to the Borough of Dublin.
[5th August, 1850.]

CAP. LVI.

An Act to continue the Act for exempting certain Bills of Exchange and Promissory-notes from the Operation of the Usury Laws.
[5th August, 1850.]

Whereas an act was passed in the 2 & 3 Vict., [c. 37.] intituled "An Act to amend and extend until the 1st Day of January, 1842, the Provisions of an Act of the first Year of her present Majesty, for exempting certain Bills of Exchange and Promissory-notes from the Operation of the Laws relating to Usury," which by sundry acts has been since continued until the 1st day of January, 1851; and it is expedient that the same should be further continued: be it enacted, &c., that the said recited act shall be continued until the 1st day of January, 1856.

2. That this act may be amended or repealed by any act to be passed in this session of Parliament.

CAP. LVII.

An Act to prevent the holding of Vestry or other Meetings in Churches, and for regulating the Appointment of Vestry Clerks.
[5th August, 1850.]

CAP. LVIII.

An Act to continue an Act for authorising the Application of Highway Rates to Turnpike Roads.
[5th August, 1850.]

CAP. LIX.

An Act for the better Government of her Majesty's Australian Colonies.
[5th August, 1850.]

CAP. LX.

An Act to consolidate and amend the Laws relating to the Conveyance and Transfer of Real and Personal Property vested in Mortgagees and Trustees. [5th August, 1850.]

Sect. 1. *Stats. 11 Geo. 4 & 1 Will. 4, c. 60; 4 & 5 Will. 4, c. 23; and 1 & 2 Vict. c. 69, repealed.*

2. *Interpretation of Terms.*

3. *Lord Chancellor may convey Estates of Lunatic Trustees and Mortgagees;*

4. *May convey contingent Rights.*

5. *Lord Chancellor may transfer Stock of Lunatic Trustees and Mortgagees.*

6. *Power to transfer Stock of deceased Person.*

7. *Court of Chancery may convey Estates of infant Trustees and Mortgagees.*

8. *Contingent Rights of infant Trustees and Mortgagees.*

9. *Court of Chancery may convey the Estate of a Trustee out of the Jurisdiction of the Court.*

10. *Court may make Order in Cases where Persons are seized of Lands jointly with Parties out of Jurisdiction of Court, &c.*

11. *Contingent Rights of Trustees.*

12. *Court may make Order in Cases where Persons are jointly entitled with others out of the Jurisdiction of the Court to a contingent Right in Lands.*

13. *When it is uncertain which of several Trustees was the Survivor.*

14. *When it is uncertain whether the last Trustee is living or dead.*

15. *When Trustee dies without an Heir.*

16. *Contingent Right of unborn Trustee.*

17. *Power to convey in Place of a refusing Trustee.*

18. *Power to convey in Place of Person entitled to contingent Right.*

19. *Power to convey in Place of Mortgagee.*

20. *Power to appoint a Person to convey in certain Cases.*

21. *As to Lands in Lancaster and Durham.*

22. *When Trustees of Stock out of the Jurisdiction.*

23. *When Trustee of Stock refuses to transfer.*

24. *When one of several Trustees of Stock refuse to transfer or receive and pay over Dividends.*

25. *When Stock is standing in the Name of a deceased Person.*

26. *Effect of an Order vesting the legal Right to transfer Stock.*

27. *Effect of an Order vesting legal Right in a Chose in Action.*

28. *Effect of an Order vesting Copyhold Lands, or appointing any Person to convey Copyhold Lands.*

29. *When a Decree is made for Sale of Real Estate for Payment of Debts.*

30. *Court to declare what Parties are Trustees of Lands comprised in any Suit, and as to the Interests of Persons unborn.*

31. *Power to make Directions how the Right to transfer Stock to be exercised.*

32. *Power to Court to make Order appointing new Trustees.*

33. *The new Trustees to have the Powers of Trustees appointed by Decree in Suit.*

34. *Power to Court to vest Lands in new Trustee.*

35. *Power to Court to vest Right to sue at Law in new Trustees.*

36. *Old Trustees not to be discharged from Liability.*

37. *Who may apply.*

38. *Power to go before the Master in the first Instance.*

39. *Power to petition the Court or the Lord Chancellor.*

40. *Power to present Petition in the first Instance.*

41. *What may be done upon Petition.*

42. *Court may dismiss Petition with or without Costs.*

43. *Power to make an Order in a Cause.*

44. *Orders made by the Court of Chancery, founded on certain Allegations, to be conclusive Evidence of the Matter contained in such Allegations.*

45. *Trustees of Charities.*

46. *No Escheat of Property held upon Trust or Mortgage.*

47. *Act not to prevent Escheat or Forfeiture of beneficial Interest.*

48. *Money of Infants and Persons of unsound Mind to be paid into Court.*

49. *Court may make a Decree in the Absence of a Trustee.*

50. *Powers of the Master.*

51. *Costs may be paid out of the Estate.*

52. *Commission concerning Person of unsound Mind.*

53. *Suit may be directed.*

54. *Powers of Court of Chancery to extend to Property in the Colonies.*

55. *Powers given to Court of Chancery may be exercised by that Court in Ireland.*

56. *Powers of Lord Chancellor in Lunacy to extend to Property in the Colonies.*
 57. *Powers of Lord Chancellor in Lunacy may be exercised by Lord Chancellor of Ireland.*
 58. *Short Title.*
 59. *Commencement of Act.*
 60. *Act may be amended &c.*

Whereas an act was passed in the 11 Geo. 4 & 1 Will. 4, [c. 60,] intituled "An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees and Mortgagees, and for enabling Courts of Equity to give Effect to their Decrees and Orders in certain Cases:" and whereas an act was passed in the 4 & 5 Will. 4, [c. 23,] intituled "An Act for the Amendment of the Law relative to the Escheat and Forfeiture of Real and Personal Property holden in Trust:" and whereas an act was passed in the 1 & 2 Vict., [c. 69,] intituled "An Act to remove Doubts respecting Conveyances of Estates vested in Heirs and Devisees of Mortgagees:" and whereas it is expedient that the provisions of the said acts should be consolidated and enlarged: be it therefore enacted, &c., that all proceedings under the said acts or any of them commenced before the passing of this act may be proceeded with under the said recited acts, or according to the provisions of this act, as shall be thought expedient, and, subject as aforesaid, that the said recited acts shall be and the same are hereby repealed: provided always, that the several acts repealed by the said recited acts shall not be revived, and that such repeal shall only be on and after this act coming into operation.

2. And whereas it is expedient to define the meaning in which certain words are hereafter used: it is declared, that the several words hereinafter named are herein used and applied in the manner following respectively; that is to say—

The word "lands" shall extend to and include manors, messuages, tenements, and hereditaments, corporeal and incorporeal, of every tenure or description, whatever may be the estate or interest therein:

The word "stock" shall mean any fund, annuity, or security transferable in books kept by any company or society established or to be established, or transferable by deed alone, or by deed accompanied by other formalities, and any share or interest therein:

The word "seised" shall be applicable to any vested estate for life or of a greater description, and shall extend to estates at law and in equity, in possession or in futurity, in any lands:

The word "possessed" shall be applicable to any vested estate less than a life estate, at law or in equity, in possession or in expectancy, in any lands:

The words "contingent right," as applied to lands, shall mean a contingent or executory interest, a possibility coupled with an interest, whether the object of the gift or limitation of such interest or possibility be or be not ascertained, also a right of entry, whether immediate or future, and whether vested or contingent:

The words "convey" and "conveyance," applied to any person, shall mean the execution by such person of every necessary or suitable assurance for conveying or disposing to another lands whereof such person is seised or entitled to a contingent right, either for the whole estate of the person conveying or disposing, or for any less estate, together with the performance of all formalities required by law to the validity of such conveyance, including the acts to be performed by married women and tenants in tail in accordance with the provisions of an act passed in the 3 & 4 Will. 4, [c. 74,] intituled "An Act for the Abolition of Fines and Recoveries, and the Substitution of more simple Modes of Assurance," and including also surrenders and other acts which a tenant of customary or copyhold lands can himself perform preparatory to or in aid of a complete assurance of such customary or copyhold lands:

The words "assign" and "assignment" shall mean the execution and performance by a person of every necessary or suitable deed or act for assigning, surrendering, or otherwise transferring lands of which such person is possessed, either for the whole estate of the person so possessed or for any less estate:

The word "transfer" shall mean the execution and performance of every deed and act by which a person en-

titled to stock can transfer such stock from himself to another:

The words "Lord Chancellor" shall mean as well the Lord Chancellor of Great Britain as any Lord Keeper or Lords Commissioners of the Great Seal for the time being:

The words "Lord Chancellor of Ireland" shall mean as well the Lord Chancellor of Ireland as any Keeper or Lords Commissioners of the Great Seal of Ireland for the time being:

The word "trust" shall not mean the duties incident to an estate conveyed by way of mortgage; but, with this exception, the words "trust" and "trustee" shall extend to and include implied and constructive trusts, and shall extend to and include cases where the trustee has some beneficial estate or interest in the subject of the trust, and shall extend to and include the duties incident to the office of personal representative of a deceased person:

The word "lunatic" shall mean any person who shall have been found to be a lunatic upon a commission of inquiry in the nature of a writ de lunatico inquirendo:

The expression "person of unsound mind" shall mean any person not an infant, who, not having been found to be a lunatic, shall be incapable from infirmity of mind to manage his own affairs:

The word "devisee" shall, in addition to its ordinary signification, mean the heir of a devisee and the devisee of an heir, and generally any person claiming an interest in the lands of a deceased person, not as heir of such deceased person, but by a title dependent solely upon the operation of the laws concerning devise and descent:

The word "mortgage" shall be applicable to every estate, interest, or property in lands or personal estate which would in a court of equity be deemed merely a security for money:

The word "person" used and referred to in the masculine gender shall include a female as well as a male, and shall include a body corporate:

And generally, unless the contrary shall appear from the context, every word importing the singular number only shall extend to several persons or things, and every word importing the plural number shall apply to one person or thing, and every word importing the masculine gender only shall extend to a female.

3. That when any lunatic or person of unsound mind shall be seised or possessed of any lands upon any trust or by way of mortgage, it shall be lawful for the Lord Chancellor, intrusted by virtue of the Queen's sign manual with the care of the persons and estates of lunatics, to make an order that such lands be vested in such person or persons in such manner and for such estate as he shall direct; and the order shall have the same effect as if the trustee or mortgagee had been sane, and had duly executed a conveyance or assignment of the lands in the same manner for the same estate.

4. That when any lunatic or person of unsound mind shall be entitled to any contingent right in any lands upon any trust or by way of mortgage, it shall be lawful for the Lord Chancellor, intrusted as aforesaid, to make an order wholly releasing such lands from such contingent right, or disposing of the same to such person or persons as the said Lord Chancellor shall direct; and the order shall have the same effect as if the trustee or mortgagee had been sane, and had duly executed a deed so releasing or disposing of the contingent right.

5. That when any lunatic or person of unsound mind shall be solely entitled to any stock or to any chose in action upon any trust or by way of mortgage, it shall be lawful for the Lord Chancellor, intrusted as aforesaid, to make an order vesting in any person or persons the right to transfer such stock, or to receive the dividends or income thereof, or to sue for and recover such chose in action, or any interest in respect thereof; and when any person or persons shall be entitled jointly with any lunatic or person of unsound mind to any stock or chose in action upon any trust or by way of mortgage, it shall be lawful for the said Lord Chancellor to make an order vesting the right to transfer such stock, or to receive the dividends or income thereof, or to sue for and recover such chose in action, or any interest in respect thereof, either in such person or persons so jointly entitled as aforesaid, or

In such last-mentioned person or persons together with any any other person or persons the said Lord Chancellor may appoint.

6. That when any stock shall be standing in the name of any deceased person whose personal representative is a lunatic or person of unsound mind, or when any chose in action shall be vested in any lunatic or person of unsound mind as the personal representative of a deceased person, it shall be lawful for the Lord Chancellor, intrusted as aforesaid, to make an order vesting the right to transfer such stock, or to receive the dividends or income thereof, or to sue for and recover such chose in action or any interest in respect thereof, in any person or persons he may appoint.

7. That where any infant shall be seised or possessed of any lands upon any trust or by way of mortgage, it shall be lawful for the Court of Chancery to make an order vesting such lands in such person or persons in such manner and for such estate as the said Court shall direct; and the order shall have the same effect as if the infant trustee or mortgagee had been twenty-one years of age, and had duly executed a conveyance or assignment of the lands in the same manner for the same estate.

8. That where any infant shall be entitled to any contingent right in any lands upon any trust or by way of mortgage, it shall be lawful for the Court of Chancery to make an order wholly releasing such lands from such contingent right, or disposing of the same to such person or persons as the said Court shall direct; and the order shall have the same effect as if the infant had been twenty-one years of age, and had duly executed a deed so releasing or disposing of the contingent right.

9. That when any person solely seised or possessed of any lands upon any trust shall be out of the jurisdiction of the Court of Chancery, or cannot be found, it shall be lawful for the said Court to make an order vesting such lands in such person or persons in such manner and for such estate as the said Court shall direct; and the order shall have the same effect as if the trustee had duly executed a conveyance or assignment of the lands in the same manner and for the same estate.

10. That when any person or persons shall be seised or possessed of any lands jointly with a person out of the jurisdiction of the Court of Chancery, or who cannot be found, it shall be lawful for the said Court to make an order vesting the lands in the person or persons so jointly seised or possessed, or in such last-mentioned person or persons together with any other person or persons, in such manner and for such estate as the said Court shall direct; and the order shall have the same effect as if the trustee out of the jurisdiction, or who cannot be found, had duly executed a conveyance or assignment of the lands in the same manner for the same estate.

11. That when any person solely entitled to a contingent right in any lands upon any trust shall be out of the jurisdiction of the Court of Chancery, or cannot be found, it shall be lawful for the said Court to make an order wholly releasing such lands from such contingent right, or disposing of the same to such person or persons as the said Court shall direct; and the order shall have the same effect as if the trustee had duly executed a conveyance so releasing or disposing of the contingent right.

12. That when any person jointly entitled with any other person or persons to a contingent right in any lands upon any trust shall be out of the jurisdiction of the Court of Chancery, or cannot be found, it shall be lawful for the said Court to make an order disposing of the contingent right of the person out of the jurisdiction, or who cannot be found, to the person or persons so jointly entitled as aforesaid, or to such last-mentioned person or persons together with any other person or persons; and the order shall have the same effect as if the trustee out of the jurisdiction, or who cannot be found, had duly executed a conveyance so releasing or disposing of the contingent right.

13. That where there shall have been two or more persons jointly seised or possessed of any lands upon any trust, and it shall be uncertain which of such trustees was the survivor, it shall be lawful for the Court of Chancery to make an order vesting such lands in such person or persons in such manner and for such estate as the said Court shall direct; and the order shall have the same effect as if the survivor of such trustees had duly executed a conveyance or assignment of the lands in the same manner for the same estate.

14. That where any one or more person or persons shall have been seised or possessed of any lands upon any trust, and it shall not be known, as to the trustee last known to have been seised or possessed, whether he be living or dead, it shall be lawful for the Court of Chancery to make an order vesting such lands in such person or persons in such manner and for such estate as the said Court shall direct; and the order shall have the same effect as if the last trustee had duly executed a conveyance or assignment of the lands in the same manner for the same estate.

15. That when any person seised of any lands upon any trust shall have died intestate as to such lands without an heir, or shall have died and it shall not be known who is his heir or devisee, it shall be lawful for the Court of Chancery to make an order vesting such lands in such person or persons in such manner and for such estate as the said Court shall direct; and the order shall have the same effect as if the heir or devisee of such trustee had duly executed a conveyance of the lands in the same manner for the same estate.

16. That when any lands are subject to a contingent right in an unborn person or class of unborn persons who upon coming into existence would in respect thereof become seised or possessed of such lands upon any trust, it shall be lawful for the Court of Chancery to make an order which shall wholly release and discharge such lands from such contingent right in such unborn person or class of unborn persons, or to make an order which shall vest in any person or persons the estate or estates which such unborn person or class of unborn persons would upon coming into existence be seised or possessed of in such lands.

17. That where any person jointly or solely seised or possessed of any lands upon any trust shall, after a demand by a person entitled to require a conveyance or assignment of such lands, or a duly authorised agent of such last-mentioned person, have stated in writing that he will not convey or assign the same, or shall neglect or refuse to convey or assign such lands for the space of twenty-eight days next after a proper deed for conveying or assigning the same shall have been tendered to him by any person entitled to require the same, or by a duly authorised agent of such last-mentioned person, it shall be lawful for the Court of Chancery to make an order vesting such lands in such person or persons in such manner and for such estate as the said Court shall direct; and the order shall have the same effect as if the trustee had duly executed a conveyance or assignment of the lands in the same manner for the same estate.

18. That where any person jointly or solely entitled to a contingent right in any lands upon any trust shall, after a demand for a conveyance or release of such contingent right by a person entitled to require the same, or a duly authorised agent of such last-mentioned person, have stated in writing that he will not convey or release such contingent right, or shall neglect or refuse to convey or release such contingent right for the space of twenty-eight days next after a proper deed for conveying or releasing the same shall have been tendered to him by any person entitled to require the same, or by a duly authorised agent of such last-mentioned person, it shall be lawful for the Court of Chancery to make an order releasing or disposing of such contingent right in such manner as it shall direct; and the order shall have the same effect as if the trustee so neglecting or refusing had duly executed a conveyance so releasing or disposing of the contingent right.

19. That when any person to whom any lands have been conveyed by way of mortgage shall have died without having entered into the possession or into the receipt of the rents and profits thereof, and the money due in respect of such mortgage shall have been paid to a person entitled to receive the same, or such last-mentioned person shall consent to an order for the reconveyance of such lands, then in any of the following cases it shall be lawful for the Court of Chancery to make an order vesting such lands in such person or persons in such manner and for such estate as the said Court shall direct; that is to say—

When an heir or devisee of such mortgagee shall be out of the jurisdiction of the Court of Chancery, or cannot be found;

When an heir or devisee of such mortgagee shall, upon a demand by a person entitled to require a conveyance of such lands or a duly authorised agent of such last-mentioned person, have stated in writing that he will not convey the same, or shall not convey the same for the

space of twenty-eight days next after a proper deed for conveying such lands shall have been tendered to him by a person entitled aforesaid, or a duly authorised agent of such last-mentioned person :

When it shall be uncertain which of several devisees of such mortgagee was the survivor :

When it shall be uncertain as to the survivor of several devisees of such mortgages, or as to the heir of such mortgagee, whether he be living or dead :

When such mortgagee shall have died intestate as to such lands, and without an heir, or shall have died and it shall not be known who is his heir or devisee :

And the order of the said Court of Chancery made in any one of the foregoing cases shall have the same effect as if the heir or devisee or surviving devisee, as the case may be, had duly executed a conveyance or assignment of the lands in the same manner and for the same estate.

20. That in every case where the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, shall, under the provisions of this act, be enabled to make an order having the effect of a conveyance or assignment of any lands, or having the effect of a release or disposition of the contingent right of any person or persons, born or unborn, it shall also be lawful for the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, as the case may be, should it be deemed more convenient, to make an order appointing a person to convey or assign such lands, or release or dispose of such contingent right; and the conveyance or assignment, or release or disposition, of the person so appointed, shall, when in conformity with the terms of the order by which he is appointed, have the same effect, in conveying or assigning the lands, or releasing or disposing of the contingent right, as an order of the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, would in the particular case have had under the provisions of this act; and in every case where the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, shall, under the provisions of this act, be enabled to make an order vesting in any person or persons the right to transfer any stock transferable in the books of the Governor and Company of the Bank of England, or of any other company or society established or to be established, it shall also be lawful for the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, if it be deemed more convenient, to make an order directing the secretary, deputy secretary, or accountant-general for the time being of the Governor and Company of the Bank of England, or any officer of such other company or society, at once to transfer or join in transferring the stock to the person or persons to be named in the order; and this act shall be a full and complete indemnity and discharge to the Governor and Company of the Bank of England, and all other companies or societies, and their officers and servants, for all acts done or permitted to be done pursuant thereto.

21. That as to any lands situated within the duchy of Lancaster or the counties palatine of Lancaster or Durham, it shall be lawful for the Court of the Duchy Chamber of Lancaster, the Court of Chancery in the county palatine of Lancaster, or the Court of Chancery in the county palatine of Durham, to make a like order in the same cases as to any lands within the jurisdiction of the same Courts respectively as the Court of Chancery has, under the provisions hereinbefore contained, been enabled to make concerning any lands; and every such order of the Court of the Duchy Chamber of Lancaster, the Court of Chancery in the county palatine of Lancaster, or the Court of Chancery in the county palatine of Durham, shall, as to such lands, have the same effect as an order of the Court of Chancery: provided always, that no person who is anywhere within the limits of the jurisdiction of the High Court of Chancery shall be deemed by such local courts to be an absent trustee or mortgagee within the meaning of this act.

22. That when any person or persons shall be jointly entitled with any person out of the jurisdiction of the Court of Chancery, or who cannot be found, or concerning whom it shall be uncertain whether he be living or dead, to any stock or chose in action upon any trust, it shall be lawful for the said Court to make an order vesting the right to transfer such stock, or to receive the dividends or income thereof, or to sue for or recover such chose in action, or any interest in respect thereof, either in such person or persons so jointly entitled as aforesaid, or in such last-mentioned person or persons together

with any person or persons the said Court may appoint; and when any sole trustee of any stock or chose in action shall be out of the jurisdiction of the said Court, or cannot be found, or it shall be uncertain whether he be living or dead, it shall be lawful for the said Court to make an order vesting the right to transfer such stock, or to receive the dividends or income thereof, or to sue for and recover such chose in action, or any interest in respect thereof, in any person or persons the said Court may appoint.

23. That where any sole trustee of any stock or chose in action shall neglect or refuse to transfer such stock, or to receive the dividends or income thereof, or to sue for or recover such chose in action, or any interest in respect thereof, according to the direction of the person absolutely entitled thereto, for the space of twenty-eight days next after a request in writing for that purpose shall have been made to him by the person absolutely entitled thereto, it shall be lawful for the Court of Chancery to make an order vesting the sole right to transfer such stock, or to receive the dividends or income thereof, or to sue for and recover such chose in action, or any interest in respect thereof, in such person or persons as the said Court may appoint.

24. That where any one of the trustees of any stock or chose in action shall neglect or refuse to transfer such stock, or to receive the dividends or income thereof, or to sue for or recover such chose in action according to the directions of the person absolutely entitled thereto, for the space of twenty-eight days next after a request in writing for that purpose shall have been made to him or her by such person, it shall be lawful for the Court of Chancery to make an order vesting the right to transfer such stock, or to receive the dividends or income thereof, or to sue for and recover such chose in action, in the other trustee or trustees of the said stock or chose in action, or in any person or persons whom the said Court may appoint jointly with such other trustee or trustees.

25. That when any stock shall be standing in the sole name of a deceased person, and his or her personal representative shall be out of the jurisdiction of the Court of Chancery, or cannot be found, or it shall be uncertain whether such personal representative be living or dead, or such personal representative shall neglect or refuse to transfer such stock, or receive the dividends or income thereof, according to the direction of the person absolutely entitled thereto, for the space of twenty-eight days next after a request in writing for that purpose shall have been made to him by the person entitled as aforesaid, it shall be lawful for the Court of Chancery to make an order vesting the right to transfer such stock, or to receive the dividends or income thereof, in any person or persons whom the said Court may appoint.

26. That where any order shall have been made under any of the provisions of this act vesting the right to any stock in any person or persons appointed by the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, such legal right shall vest accordingly, and thereupon the person or persons so appointed are hereby authorised and empowered to execute all deeds and powers of attorney, and to perform all acts relating to the transfer of such stock into his or their own name or names or otherwise, or relating to the receipt of the dividends thereof, to the extent and in conformity with the terms of such order; and the Bank of England, and all companies and associations whatever, and all persons, shall be equally bound and compellable to comply with the requisitions of such person or persons so appointed as aforesaid, to the extent and in conformity with the terms of such order as the said Bank of England, or such companies, associations, or persons, would have been bound and compellable to comply with the requisitions of the person in whose place such appointment shall have been made, and shall be equally indemnified in complying with the requisition of such person or persons so appointed as they would have been indemnified in complying with the requisition of the person in whose place such appointment shall have been made; and after notice in writing of any such order of the Lord Chancellor, intrusted as aforesaid, or of the Court of Chancery, concerning any stock, shall have been given, it shall not be lawful for the Bank of England, or any company or association whatever, or any person having received such notice, to act upon the requisition of the person in whose place an appointment shall have been made in any matter whatever relating to the transfer of such stock, or the payment of the dividends or produce thereof.

27. That where any order shall have been made under the provisions of this act, either by the Lord Chancellor, intrusted as aforesaid, or by the Court of Chancery, vesting the legal right to sue for or recover any chose in action or any interest in respect thereof in any person or persons, such legal right shall vest accordingly, and thereupon it shall be lawful for the person or persons so appointed to carry on, commence, and prosecute, in his or their own name or names, any action, suit, or other proceeding at law or in equity for the recovery of such chose in action, in the same manner in all respects as the person in whose place an appointment shall have been made could have sued for or recovered such chose in action.

28. That whensoever, under any of the provisions of this act, an order shall be made, either by the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, vesting any copyhold or customary lands in any person or persons, and such order shall be made with the consent of the lord or lady of the manor whereof such lands are holden, then the lands shall, without any surrender or admittance in respect thereof, vest accordingly; and whenever, under any of the provisions of this act, an order shall be made either by the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, appointing any person or persons to convey or assign any copyhold or customary lands, it shall be lawful for such person or persons to do all acts and execute all instruments for the purpose of completing the assurance of such lands; and all such acts and instruments so done and executed shall have the same effect, and every lord and lady of a manor, and every other person, shall, subject to the customs of the manor and the usual payments, be equally bound and compellable to make admittance to such lands, and to do all other acts for the purpose of completing the assurance thereof, as if the persons in whose place an appointment shall have been made, being free from any disability, had duly done and executed such acts and instruments.

29. That when a decree shall have been made by any Court of equity directing the sale of any lands for the payment of the debts of a deceased person, every person seised or possessed of such lands, or entitled to a contingent right therein, as heir, or under the will of such deceased debtor, shall be deemed to be so seised or possessed or entitled, as the case may be, upon a trust within the meaning of this act; and the Court of Chancery is hereby empowered to make an order wholly discharging the contingent right, under the will of such deceased debtor, of any unborn person.

30. That where any decree shall be made by any Court of equity for the specific performance of a contract concerning any lands, or for the partition or exchange of any lands, or generally when any decree shall be made for the conveyance or assignment of any lands, either in cases arising out of the doctrine of election or otherwise, it shall be lawful for the said Court to declare that any of the parties to the said suit wherein such decree is made are trustees of such lands or any part thereof, within the meaning of this act, or to declare concerning the interests of unborn persons who might claim under any party to the said suit, or under the will or voluntary settlement of any person deceased who was during his lifetime a party to the contract or transactions concerning which such decree is made, that such interests of unborn persons are the interests of persons who, upon coming into existence, would be trustees within the meaning of this act, and thereupon it shall be lawful for the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, as the case may be, to make such order or orders as to the estates, rights, and interests of such persons, born or unborn, as the said Court or the said Lord Chancellor might under the provisions of this act make concerning the estates, rights, and interests of trustees born or unborn.

31. That it shall be lawful for the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, to make declarations and give directions concerning the manner in which the right to any stock or chose in action vested under the provisions of this act shall be exercised; and thereupon the person or persons in whom such right shall be vested shall be compellable to obey such directions and declarations by the same process as that by which other orders under this act are enforced.

32. That whenever it shall be expedient to appoint a new trustee or new trustees, and it shall be found inexpedient, difficult, or impracticable so to do without the assistance of the Court of Chancery, it shall be lawful for the said Court of Chancery to make an order appointing a new trustee or new

trustees either in substitution for or in addition to any existing trustee or trustees.

33. That the person or persons who, upon the making of such order as last aforesaid, shall be trustee or trustees, shall have all the same rights and powers as he or they would have had if appointed by decree in a suit duly instituted.

34. That it shall be lawful for the said Court of Chancery, upon making any order for appointing a new trustee or new trustees, either by the same or by any subsequent order, to direct that any lands subject to the trust shall vest in the person or persons who upon the appointment shall be the trustee or trustees, for such estate as the Court shall direct; and such order shall have the same effect as if the person or persons who before such order were the trustee or trustees (if any) had duly executed all proper conveyances and assignments of such lands for such estate.

35. That it shall be lawful for the said Court of Chancery, upon making any order for appointing a new trustee or new trustees, either by the same or by any subsequent order, to vest the right to call for a transfer of any stock subject to the trust, or to receive the dividends or income thereof, or to sue for or recover any chose in action, subject to the trust, or any interest in respect thereof, in the person or persons who upon the appointment shall be the trustee or trustees.

36. That any such appointment by the Court of new trustees, and any such conveyance, assignment, or transfer as aforesaid, shall operate no further or otherwise as a discharge to any former or continuing trustee than an appointment of new trustees under any power for that purpose contained in any instrument would have done.

37. That an order, under any of the hereinbefore contained provisions, for the appointment of a new trustee or trustees, or concerning any lands, stock, or chose in action subject to a trust, may be made upon the application of any person beneficially interested in such lands, stock, or chose in action, whether under disability or not, or upon the application of any person duly appointed as a trustee thereof; and that an order under any of the provisions hereinbefore contained concerning any lands, stock, or chose in action subject to a mortgage may be made on the application of any person beneficially interested in the equity of redemption, whether under disability or not, or of any person interested in the monies secured by such mortgage.

38. That when any person shall deem himself entitled to an order under any of the provisions hereinbefore contained, either from the Lord Chancellor, intrusted as aforesaid, or from the Court of Chancery, it shall be lawful for him to exhibit before any one of the Masters of the High Court of Chancery a statement of the facts whereon such order is sought to be obtained, and adduce evidence in support thereof; and if such evidence shall be satisfactory to the said Master, he shall, at the request of the person adducing such evidence, give a certificate under his hand of the several material facts found by him to be true, and of his opinion that such person is entitled to an order in the form set forth in such certificate.

39. That any person who shall have obtained such certificate may apply by motion to the Court of Chancery, or to the Lord Chancellor, intrusted as aforesaid, for an order to the effect set forth in such certificate, or for such other order as such person may deem himself entitled to upon the facts found by the Master.

40. That any person or persons entitled in manner aforesaid to apply for an order from the said Court of Chancery, or from the Lord Chancellor, intrusted as aforesaid, may, should he so think fit, present a petition in the first instance to the Court of Chancery, or to the Lord Chancellor, intrusted as aforesaid, for such order as he may deem himself entitled to, and may give evidence by affidavit or otherwise in support of such petition before the said Court, or the Lord Chancellor, intrusted as aforesaid, and may serve such person or persons with notice of such petition as he may deem entitled to service thereof.

41. That upon the hearing of any such motion or petition it shall be lawful for the said Court or for the said Lord Chancellor, should it be deemed necessary, to direct a reference to one of the Masters in Ordinary of the Court of Chancery to inquire into any facts which require such an investigation, or it shall be lawful for the said Court or for the said Lord Chancellor to direct such motion or petition to stand over, to enable the petitioner or petitioners to adduce evidence or further evidence

before the said Court or before the said Lord Chancellor, or to enable notice or any further notice of such motion or petition to be served upon any person or persons.

42. That upon the hearing of any such motion or petition, whether any certificate or report from a Master shall have been obtained or not, it shall be lawful for the Court, or the Lord Chancellor, intrusted as aforesaid, to dismiss such motion or petition, with or without costs, or to make an order thereupon in conformity with the provisions of this act.

43. That whensoever in any cause or matter, either by the evidence adduced therein, or by the admissions of the parties, or by a report of one of the Masters of the Court of Chancery, the facts necessary for an order under this act shall appear to such Court to be sufficiently proved, it shall be lawful for the said Court, either upon the hearing of the said cause or of any petition or motion in the said cause or matter, to make such order under this act.

44. That whenever any order shall be made under this act, either by the Lord Chancellor, intrusted as aforesaid, or by the Court of Chancery, for the purpose of conveying or assigning any lands, or for the purpose of releasing or disposing of any contingent right, and such order shall be founded on an allegation of the personal incapacity of a trustee or mortgagee, or on an allegation that a trustee or the heir or devisee of a mortgagee is out of the jurisdiction of the Court of Chancery or cannot be found, or that it is uncertain which of several trustees, or which of several devisees of a mortgagee, was the survivor, or whether the last trustee, or the heir or last surviving devisee of a mortgagee, be living or dead, or on an allegation that any trustee or mortgagee has died intestate without an heir, or has died and it is not known who is his heir or devisee, then in any of such cases the fact that the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, has made an order upon such an allegation, shall be conclusive evidence of the matter so alleged in any court of law or equity upon any question as to the legal validity of the order: provided always, that nothing herein contained shall prevent the Court of Chancery directing a re-conveyance or re-assignment of any lands conveyed or assigned by any order under the act, or a re-disposition of any contingent right conveyed or disposed of by such order; and it shall be lawful for the said Court to direct any of the parties to any suit concerning such lands or contingent right to pay any costs occasioned by the order under this act, when the same shall appear to have been improperly obtained.

45. That it shall be lawful for the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, to exercise the powers herein conferred for the purpose of vesting any lands, stock, or chose in action in the trustee or trustees of any charity or society over which charity or society the said Court of Chancery would have jurisdiction upon suit duly instituted, whether such trustee or trustees shall have been duly appointed by any power contained in any deed or instrument, or by the decree of the said Court of Chancery, or by order made upon a petition to the said Court under any statute authorising the said Court to make an order to that effect in a summary way upon petition.

46. That no lands, stock, or chose in action vested in any person upon any trust or by way of mortgage, or any profits thereof, shall escheat or be forfeited to her Majesty, her heirs or successors, or to any corporation, lord or lady of a manor, or other person, by reason of the attainder or conviction for any offence of such trustee or mortgagee, but shall remain in such trustee or mortgagee, or survive to his or her co-trustee, or descend or vest in his or her representative, as if no such attainder or conviction had taken place.

47. That nothing contained in this act shall prevent the escheat or forfeiture of any lands or personal estate vested in any such trustee or mortgagee, so far as relates to any beneficial interest therein of any such trustee or mortgagee, but such lands or personal estate, so far as relates to any such beneficial interest, shall be recoverable in the same manner as if this act had not passed.

48. That where any infant or person of unsound mind shall be entitled to any money payable in discharge of any lands, stock, or chose in action conveyed, assigned, or transferred under this act, it shall be lawful for the person by whom such money is payable to pay the same into the Bank of England, in the name and with the privity of the Accountant-General, in

trust in any cause then depending concerning such money, or, if there shall be no such cause, to the credit of such infant or person of unsound mind, subject to the order or disposition of the said Court; and it shall be lawful for the said Court, upon petition in a summary way, to order any money so paid to be invested in the public funds, and to order payment or distribution thereof, or payment of the dividends thereof, as to the said Court shall seem reasonable; and every cashier of the Bank of England who shall receive any such money is hereby required to give to the person paying the same a receipt for such money, and such receipt shall be an effectual discharge for the money therein respectively expressed to have been received.

49. That where in any suit commenced or to be commenced in the Court of Chancery it shall be made to appear to the Court by affidavit that diligent search and inquiry has been made after any person made a defendant, who is only a trustee, to serve him with the process of the Court, and that he cannot be found, it shall be lawful for the said Court to hear and determine such cause, and to make such absolute decree therein against every person who shall appear to them to be only a trustee, and not otherwise concerned in interest in the matter in question, in such and the same manner as if such trustee had been duly served with the process of the Court, and had appeared and filed his answer thereto, and had also appeared by his counsel and solicitor at the hearing of such cause: provided always, that no such decree shall bind, affect, or in anywise prejudice any person against whom the same shall be made, without service of process upon him as aforesaid, his heirs, executors, or administrators, for or in respect of any estate, right, or interest which such person shall have at the time of making such decree for his own use or benefit, or otherwise than as a trustee as aforesaid.

50. That when any person shall, under the provisions of this act, apply to one of the Masters of the Court of Chancery in the first instance, and adduce evidence, for the purpose of obtaining the certificate of such Master as a foundation for an order of the said Lord Chancellor, intrusted as aforesaid, or the said Court of Chancery, it shall be lawful for the said Master to order service of such application upon any person, or to dismiss such application, and to direct that the costs of any persons consequent thereon shall be paid by the person making the same; and all orders of the Master under this act shall be enforced by the same process as orders of the Court made in any suit against a party thereto.

51. That the Lord Chancellor, intrusted as aforesaid, and the Court of Chancery, may order the costs and expenses of and relating to the petitions, orders, directions, conveyances, assignments, and transfers to be made in pursuance of this act, or any of them, to be paid and raised out of or from the lands or personal estate, or the rents or produce thereof, in respect of which the same respectively shall be made, or in such manner as the said Lord Chancellor or Court shall think proper.

52. That upon any petition being presented under this act to the Lord Chancellor, intrusted as aforesaid, concerning a person of unsound mind, it shall be lawful for the said Lord Chancellor, should he so think fit, to direct that a commission in the nature of a writ de lunatico inquirendo shall issue concerning such person, and to postpone making any order upon such petition until a return shall have been made to such commission.

53. That upon any petition under this act being presented to the Lord Chancellor, intrusted as aforesaid, or to the Court of Chancery, it shall be lawful for the said Lord Chancellor or the said Court of Chancery to postpone making any order upon such petition until the right of the petitioner or petitioners shall have been declared in a suit duly instituted for that purpose.

54. That the powers and authorities given by this act to the Court of Chancery in England shall extend to all lands and personal estate within the dominions, plantations, and colonies belonging to her Majesty, (except Scotland).

55. That the powers and authorities given by this act to the Court of Chancery in England shall and may be exercised in like manner, and are hereby given and extended to the Court of Chancery in Ireland with respect to all lands and personal estate in Ireland.

56. That the powers and authorities given by this act to the Lord Chancellor of Great Britain, intrusted as aforesaid, shall

extend to all lands and personal estate within any of the dominions, plantations, and colonies belonging to her Majesty, (except Scotland and Ireland).

57. That the powers and authorities given by this act to the Lord Chancellor of Great Britain, intrusted as aforesaid, shall and may be exercised in like manner by and are hereby given to the Lord Chancellor of Ireland, intrusted as aforesaid, with respect to all lands and personal estate in Ireland.

58. That in citing this act in other acts of Parliament, and in legal instruments and in legal proceedings, it shall be sufficient to use the expression "The Trustee Act, 1850."

59. That this act shall come into operation on the 1st day of November, 1850.

60. That this act may be amended or repealed by any act to be passed in this session of Parliament.

CAP. LXI.

An Act to extend the Act for the more easy Recovery of Small Debts and Demands in England, and to amend the same.
[14th August, 1850.]

- Sect. 1. Extension of Jurisdiction.*
2. *This Act to be construed with 9 & 10 Vict. c. 95, and 12 & 13 Vict. c. 101.*
 3. *Deputy Judge not to practise in District whilst he acts as Deputy. Clerks, &c. to reside in District.*
 4. *Power to remove Clerks, High Bailiffs, or Assistant Clerks.*
 5. *Fees to be taken according to Schedule. Power to Secretary of State, with Consent of the Treasury, to alter Fees.*
 6. *Fees to be taken by Barristers and Attorneys.*
 7. *Power of paying Judges, Clerks, and High Bailiffs by Salary instead of Fees given to the Lords of the Treasury and the Secretary of State.*
 8. *Confession of Debts or Parts of Debts, &c., and Judgment thereupon.*
 9. *Agreement as to the Amount of Debt, &c., and Conditions of Payment.*
 10. *If Plaintiff or his Attorney do not appear on Day of Hearing, Costs may be awarded to Defendant for his Trouble and Attendance.*
 11. *Plaintiffs recovering in the Superior Courts Sums not exceeding 20l. in Actions of Contract, or 5l. in Actions of Tort, over which the County Court has Jurisdiction, to have no Costs.*
 12. *Judge at the Trial may certify, to entitle the Plaintiff to Costs.*
 13. *If the Court, or a Judge at Chambers, make an Order, the Plaintiff to have Costs.*
 14. *Parties aggrieved may appeal.*
 15. *Appeal to be in the Form of a Case agreed on by both Parties, but if they cannot agree Judge to settle and sign it.*
 16. *No Certiorari, &c. to be allowed.*
 17. *In certain Cases, on Agreement of the Parties, Court shall have Power to try Causes although the Matters be beyond its Jurisdiction.*
 18. *No second Suit in second Court for the same Cause. Treble Costs.*
 19. *No Action to be brought against Bailiff, &c. acting under Order of the Court, without Notice; and the Clerk of the Court to be made Defendant in the Suit.*
 20. *So much of 9 & 10 Vict. c. 95, as requires a Landlord, where Rent is in Arrear for Premises wherein Goods have been taken in Execution, to state in Writing the Terms of Holding, &c. repealed. To entitle Landlord to Benefit under recited Act it shall be sufficient to state the Amount of Rent claimed, &c.*
 21. *Enactments of recited Act as altered by this Act as to certain Claims of Landlords to extend to Goods taken in Execution.*
 22. *Judges may hear Applications for Writs of Prohibition either in Term or in Vacation.*
 23. *Before whom Affidavits may be sworn.*
 24. *Town Halls, &c. to be used free of Rent-charge for Sittings of County Court.*
 25. *Act may be amended or repealed.*

Whereas by an act passed in the 9 & 10 Vict., [c. 95,] intituled "An Act for the more easy Recovery of Small Debts and Demands in England," jurisdiction is given to the courts holden under the said act for the recovery of certain debts, damages, and demands therein mentioned not exceeding 20l.; and whereas it is expedient to extend the provisions of the said act, and also of a certain other act passed in the 12 & 13 Vict., [c. 101,] intituled "An Act to amend the Act for the more easy Recovery of Small Debts and Demands in England, and to abolish certain Inferior Courts of Record," to debts, damages, and demands not exceeding the sum of 50l., and to alter and amend the said first-mentioned act in manner hereinafter mentioned: be it therefore enacted, &c., that the jurisdiction of the several courts holden or to be holden under the said act of the tenth year of her Majesty shall extend to the recovery of any debt, damage, or demand not exceeding the sum of 50l., and to all actions in respect thereof (save and except the several actions specified in the proviso in sect. 38 of the same act); and that the several powers and provisions of the said several acts of the tenth and thirteenth years of her Majesty, and all rules, orders, and regulations which have been or may be made in pursuance of the said acts or either of them, shall extend to all debts, damages, and demands which may be sued for in the said courts or any of them not exceeding the sum of 50l., and to all proceedings and judgments for the recovery of the same, or otherwise in relation thereto respectively, as fully and effectually, to all intents and purposes, as the same respectively are now or may be applicable to debts, damages, and demands within the present jurisdiction of the said courts.

2. That this act and the said recited acts of the 9 & 10 Vict., [c. 95,] and the 12 & 13 Vict., [c. 101,] shall be read and construed as one act, as if the several provisions in the said recited acts contained, not inconsistent with the provisions of this act, were repeated and re-enacted in this act.

3. That no deputy judge of any such county court, save and except the Westminster County Court of Middlesex, shall, during the time he acts or shall be entitled to act as such deputy, practise as a barrister in any court within the district for which he acts or shall be entitled to act as such deputy; and that every clerk and assistant clerk appointed after the passing of this act to any of such courts shall reside within the district of the court or courts for which he shall have been appointed.

4. That so much of the said act of the tenth year of her Majesty as relates to the removal of clerks or high bailiffs of the courts holden under the said act shall be repealed; and it shall be lawful for the Lord Chancellor, or, where the whole of the district of the court or courts for which the clerk or high bailiff shall have been appointed is within the duchy of Lancaster, for the Chancellor of the Duchy of Lancaster, when such Lord Chancellor or Chancellor of the Duchy shall in his discretion think fit, to remove the clerk, high bailiff, or any assistant clerk of any such court or courts from his office, and from time to time to make such order as to the attendance of any clerk, deputy clerk, or assistant clerk, during the sitting of the court or otherwise, as he shall think fit: provided always, that nothing herein contained shall affect the tenure of office of any person who before the passing of the said act held an office in any of the courts mentioned in Schedule (A.) annexed to the said act.

5. That there shall be payable on every proceeding in the courts holden under the said act of the tenth year of her Majesty, to the judges, clerks, and high bailiffs of the several courts, in every case where the sum sought to be recovered shall exceed 20l., such fee as are set down in the Schedule marked (D.) to the said act of the tenth year of her Majesty annexed as fees payable upon demands exceeding the sum of 10l.; and the fees on every proceeding shall be paid in the first instance by the plaintiff or party on whose behalf such proceeding is to be had on or before such proceeding, and in default payment thereof shall be enforced by order of the judge by such ways and means as any debt or damage ordered to be paid by the court can be recovered; and the fees upon executions shall be paid into court at the time of the issue of the warrant of execution, and shall be paid by the clerk of the court to the bailiff upon the return of the warrant of execution, and not before: provided always, that it shall be lawful for one of her Majesty's Principal Secretaries of State, with the consent of the commissioners of her Majesty's Treasury,

from time to time to regulate or vary, lessen or increase, the fees payable under this act or the said recited acts, or either of them, in such manner as to him shall seem fit: provided also, that all sums payable in the name of fees to such officers of the court as shall be paid by salaries shall be paid from time to time to the treasurer of the court, and shall be applied by such treasurer in the manner provided by the said act of the tenth year of her Majesty.

6. That the fees to be taken by barristers-at-law and attorneys practising in the said courts, in cases brought within the jurisdiction given by this act, shall be as follows; an attorney shall be entitled to have or recover a sum not exceeding 1*l.* 10*s.* for his fees and costs, where the debt, damage, or demand claimed in any plaint in covenant, debt, detinue, or assumpsit shall not exceed 35*l.*, or 2*l.* in any other case, within the jurisdiction given by this act; and in no case shall any fee exceeding 2*l.* 4*s.* 6*d.* be allowed for employing a barrister as counsel in the cause; and the expense of employing a barrister or an attorney, either by plaintiff or defendant, shall not be allowed on taxation of costs, unless by order of the judge; and the judges of the said courts respectively shall from time to time determine in what cases such expenses shall be so allowed.

7. That so much of the said act of the tenth year of her Majesty as enacts that it shall be lawful for her Majesty, with the advice of her Privy Council, to order that the judges, clerks, bailiffs, and officers of the courts holden under that act, or any of them, shall be paid by salaries instead of fees, or in any manner other than is provided by that act, shall be repealed; and that it shall be lawful for the commissioners of her Majesty's Treasury, with the consent of one of her Majesty's Principal Secretaries of State, from time to time to order that the judges, clerks, bailiffs, and officers of the said courts, or any of them, shall be paid by salaries instead of fees, or in any manner other than is provided by the said act.

8. That any person against whom a plaint shall be entered in any county court may, if he think fit, whether he be summoned upon such plaint or not, in the presence of the clerk or assistant clerk of the court in which such plaint shall have been entered, or one of their clerks respectively, or in the presence of an attorney of one of the superior courts, sign a statement confessing and admitting the amount of the debt or demand or part of the amount of the debt or demand for which such plaint shall have been entered, and such clerk or assistant clerk shall, as soon as conveniently may be after receiving such statement, send notice thereof to the plaintiff, by the post or by causing the same to be delivered at his usual place of abode or business, and thereupon it shall not be necessary for the said plaintiff to prove the debt or demand so confessed and admitted as aforesaid, but the judge of such court, at the next sitting of such court, whether the parties or either of them attend such court or not, shall, upon proof by affidavit of the signature of the party, if such statement were not made in the presence of the clerk or assistant clerk, proceed to give judgment for the debt or demand so confessed and admitted, in the same manner, and subject to the same conditions, as if he had tried the cause, and given judgment thereupon, under the provisions of the said first-recited act.

9. That if the person against whom a plaint shall be entered in any county court can agree with the person on whose behalf such plaint shall have been entered upon the amount of the debt or demand in respect of which such plaint shall have been entered, and upon the terms and conditions upon which the same shall be paid or satisfied, it shall be lawful for such persons respectively, in the presence of the clerk or assistant clerk of the court in which such plaint shall have been entered, or one of their clerks respectively, or in the presence of an attorney of one of the superior courts, to sign a statement of the amount of the debt or demand so agreed upon between such persons respectively, and of the terms and conditions upon which the same shall be paid or satisfied, such clerk or assistant clerk shall receive such statement, and shall thereupon, upon proof by affidavit of the signature of the party, if such statement were not made in the presence of the clerk or assistant clerk, enter up judgment for the plaintiff for the amount of the debt or demand so agreed on, and upon the terms and conditions mentioned in such statement; and such judgment shall to all intents and purposes be the same, and have the same effect, and shall be enforced and enforceable in the same manner, as if it had been a judgment of the judge of the said court.

10. That in every case where the plaintiff shall not appear,

either by himself or his attorney, upon the day of the return of any summons for hearing, or at any continuation or adjournment of the said hearing, and the defendant shall appear either by himself or his attorney upon such day of hearing, continuation, or adjournment, it shall be lawful for the judge to award to the defendant or to his attorney, by way of costs of his attendance and satisfaction for his trouble, such sum as the judge in his discretion shall think fit; and the sum so awarded shall be recoverable from the plaintiff by such ways and means as any debt or damage ordered to be paid by the same court can be recovered.

11. That if in any action commenced after the passing of this act in any of her Majesty's superior courts of record, in covenant, debt, detinue, or assumpsit, not being an action for breach of promise of marriage, the plaintiff shall recover a sum not exceeding 20*l.*, or if, in any action commenced after the passing of this act in any of her Majesty's superior courts of record, in trespass, trover, or case, not being an action for malicious prosecution, or for libel, or for slander, or for criminal conversation, or for seduction, the plaintiff shall recover a sum not exceeding 5*l.*, the plaintiff shall have judgment to recover such sum only, and no costs, except in the cases hereinafter provided, and except in the case of a judgment by default; and it shall not be necessary to enter any suggestion on the record to deprive such plaintiff of costs, nor shall any such plaintiff be entitled to costs by reason of any privilege as attorney or officer of such court or otherwise.

12. Provided always, and be it enacted, that if the plaintiff shall in any such action as aforesaid recover a sum less than the sum in that behalf hereinbefore mentioned, by verdict, and the judge or other presiding officer before whom such verdict shall be obtained shall certify on the back of the record that it appeared to him at the trial that the cause of action was one for which a plaint could not have been entered in any such county court as aforesaid, or that it appeared to him at the trial that there was a sufficient reason for bringing the said action in the court in which the said action was brought, the plaintiff in such case shall have the same judgment to recover his costs that he would have had if this act had not been passed.

13. Provided also, and be it enacted, that if in any such action, whether there be a verdict in such action or not, the plaintiff shall make it appear to the satisfaction of the court in which such action was brought, or to the satisfaction of a judge at chambers upon summons, that the said action was brought for a cause in which concurrent jurisdiction is given to the superior courts by the 128th section of the said recited act of the tenth year of her Majesty, or for which no plaint could have been entered in any such county court, or that the said cause was removed from a county court by certiorari, then and in any of such cases the court in which the said action is brought, or the said judge at chambers, may thereupon, by rule or order, direct that the plaintiff shall recover his costs, and thereupon the plaintiff shall have the same judgment to recover his costs that he would have had if this act had not been passed.

14. That if either party in any cause of the amount to which jurisdiction is given to the county courts by this act shall be dissatisfied with the determination or direction of the said court in point of law, or upon the admission or rejection of any evidence, such party may appeal from the same to any of the superior courts of common law at Westminster, two or more of the puisne judges whereof shall sit out of term as a court of appeal for that purpose, provided that such party shall, within ten days after such determination or direction, give notice of such appeal to the other party, or his attorney, and also give security, to be approved by the clerk of the court, for the costs of the appeal, whatever be the event of the appeal, and for the amount of the judgment, if he be the defendant and the appeal be dismissed; provided nevertheless, that such security, so far as regards the amount of the judgment, shall not be required in any case where the judge of the county court shall have ordered the party appealing to pay the amount of such judgment into the hands of the clerk of the county court in which such action shall have been tried, and the same shall have been paid accordingly; and the said court of appeal may either order a new trial on such terms as it thinks fit, or may order judgment to be entered for either party, as the case may be, and may make such order with respect to the

costs of the said appeal as such court may think proper; and such orders shall be final.

15. That such appeal shall be in the form of a case agreed on by both parties, or their attorneys, and if they cannot agree, the judge of the county court, upon being applied to by them or their attorneys, shall settle the case and sign it; and such case shall be transmitted by the appellant to the rule department of the Master's office of the court in which the appeal is to be brought.

16. That no judgment, order, or determination given or made by any judge of a county court, nor any cause or matter brought before him or pending in his court, shall be removed by appeal, motion, writ of error, certiorari, or otherwise, into any other court whatever, save and except in the manner and according to the provisions hereinbefore mentioned.

17. That if both parties shall agree, by a memorandum signed by them or by their attorneys, that the county court shall have power to try any of the actions hereinbefore respectively mentioned in which the sum sought to be recovered shall exceed the sum of 5*l*. by the said recited act or 50*l*. by this act limited in the case of such actions respectively, or any action in which the title to land, whether of freehold, copyhold, leasehold, or other tenure, or to any tithe, toll, market, fair, or other franchise, shall be in question, then and in such case the said court shall have jurisdiction and power to try such action: provided always, that the said parties or their attorneys shall state in their said memorandum of agreement that they know such cause of action to be above the said sums respectively, or that they know such title to come in question in such action, and provided that such memorandum shall be filed with the clerk of the said court at the time of filing the demand of the plaintiff: provided also, that all local actions to be tried before any county court with the consent of the parties shall be brought and tried in that jurisdiction only in which the lands, tenements, or hereditaments or some part thereof are situate or in respect whereof such action shall be brought.

18. That if any party shall sue another in any county court for any debt or other cause of action for which he hath already sued him, and obtained judgment, in any other court, the proof of such former suit having been brought and judgment obtained may be given, and the party so suing shall not be entitled to recover in such second suit, and shall be adjudged to pay three times the costs of such second suit to the opposite party.

19. That from and after the passing of this act no action shall be brought against any high bailiff or bailiff, or against any person or persons acting by the order and in aid of any high bailiff, for anything done in obedience to any warrant under the hand of the clerk or clerks of the said court and the seal of the said court, until demand hath been made or left at the office of such high bailiff by the party or parties intending to bring such action, or by his, her, or their attorney or agent, in writing, signed by the party demanding the same, of the perusal and copy of such warrant, and the same hath been refused or neglected by the space of six days after such demand; and in case, after such demand and compliance therewith, by shewing the said warrant to and permitting a copy to be taken thereof by the party demanding the same, any action shall be brought against such high bailiff, bailiff, or other person or persons acting in his aid for any such cause as aforesaid, without making the clerk or clerks of the said court who signed or sealed the said warrant defendant or defendants, that on producing or proving such warrant at the trial of such action, the jury shall give their verdict for the defendant or defendants, notwithstanding any defect of jurisdiction or other irregularity in the said warrant; and if such action be brought jointly against such clerk or clerks, and also against such high bailiff or bailiff, or person or persons acting in his or their aid as aforesaid, then on proof of such warrant the jury shall find for such high bailiff or bailiff, and for such person or persons so acting as aforesaid, notwithstanding such defect or irregularity as aforesaid; and if the verdict shall be given against the said clerk or clerks, that in such case the plaintiff or plaintiffs shall recover his, her, or their costs against him or them, to be taxed in such manner by the proper officer as to include such costs as such plaintiff or plaintiffs are liable to pay to such defendant or defendants for whom such verdict shall be found as aforesaid; and if any action shall be brought the defendant or defendants shall and may plead the general issue,

and give the special matter in evidence at any trial had thereupon.

20. And whereas by the said act passed in the 9 & 10 Vict. [c. 95.] intituled "An Act for the more easy Recovery of Small Debts and Demands in England," it is enacted, that in cases of rent being in arrear in respect of premises wherein goods may have been taken in execution under and by virtue of the said act, it should be lawful for the landlord, by writing to be delivered to the bailiff or officer making the levy, which writing should state the terms of holding and rent payable for the same, to claim any rent in arrear as therein mentioned: and whereas so much of the said enactment as requires that the claim of rent to be made by writing stating the terms of holding may lead to technical objections and unnecessary prolixity: and whereas also it is expedient to obviate certain difficulties which have arisen as to the landlord's right to priority of payment upon the construction of the said enactment: be it therefore enacted, that so much of the said act as requires that the said writing and claim should state the terms of holding shall be and is hereby repealed, and that it shall be a sufficient notice of claim, to entitle the landlord to all the benefit given to landlords under the said act, that such writing and claim shall state the amount of the rent claimed to be in arrear and unpaid, and the time for and in respect of which such rent is claimed to be due, in like manner as is now required by law in cases of ordinary distress for rent, and no further or otherwise; and also that no execution creditor under the said act or this act shall be satisfied his debt out of the proceeds of such execution and distress, or execution only where the tenant shall replevy, until the landlord who shall conform to the provisions of the said act as amended by this act shall have been paid the rent in arrear for the periods in the said act limited.

21. That the enactments contained in the said act, as altered and amended in this act, relating to the claims of landlords for rent in arrear where goods on the premises demised have been taken in execution, shall apply and extend to goods taken in execution under the authority of this act, in as full and beneficial a manner as if the same enactments were re-enacted in the like terms in this act.

22. That it shall be lawful for any judge of any of her Majesty's superior courts of common law at Westminster, as well in term time as in vacation, to hear and determine applications for writs of prohibition directed to the judges of the said county courts, and to make such rules or orders for the issuing of such writs as might have been made by the court, and all such rules or orders so made by any such judge shall have the same force and effect as rules of court for such purposes now have, and such writs shall be issued by virtue of such rules or orders as well in term time as in vacation: provided always, that any rule or order made by any such judge, or any writ issued by virtue thereof, may be discharged or varied or set aside by the court, on application made thereto by any party dissatisfied with such rule or order.

23. That all affidavits to be used in the courts holden under the said act of the tenth year of her Majesty shall and may be sworn before any judge of the said courts, or any Master Extraordinary in Chancery, or commissioner for taking affidavits in any of the superior courts of Westminster, or before a magistrate of the county, city, town, or place where any such affidavit may be sworn.

24. That in every town or place where there shall be a court holden under the provisions of the said act of the tenth year of her Majesty, the town-hall, court-house, or other public building belonging to any county, city, borough, or town shall be used for the purposes of holding the courts under the said act, without any charge for rent or other payment, save and except the reasonable and necessary charges for lighting, warming, and cleaning when such public building is used for the purpose of the courts, and for all other expenses necessarily incidental to the use of the said building for the purposes of the courts: provided always, that the necessary arrangements shall be made so that the sittings of the said courts shall not interfere with the business of the county, city, borough, or town usually transacted in such town-hall, court-house, or other public building, or with any purposes for which such town-hall, court-house, or other public building may be used by virtue of any local act in that behalf: provided also, that this enactment shall not apply to any city, borough, or town in which a building hath previously to the passing of this act been erected for the pur-

poses of holding the courts under the said act and for the business connected with such courts, nor shall anything in this act contained be held, deemed, or taken to prejudice, affect, or otherwise interfere with any lease, contract, agreement, or engagement already entered into for the leasing, erection, hiring, or occupation of any building for the purposes of holding such courts therein and transacting therein the business relating to such courts.

25. That this act may be amended or repealed by any act to be passed in this session of Parliament.

CAP. LXII.

An Act to alter and extend an Act passed in the eleventh Year of King George the Fourth, for amending and consolidating the Laws relating to the Pay of the Royal Navy.

[14th August, 1850.]

CAP. LXIII.

An Act to provide for the Redemption of an Annuity of Ten Thousand Pounds payable to the "Equivalent Company."

[14th August, 1850.]

CAP. LXIV.

An Act to provide for more effectually maintaining, repairing, improving, and rebuilding Bridges in Cities and Boroughs.

[14th August, 1850.]

CAP. LXV.

An Act for enabling Town Councils to establish Public Libraries and Museums.

[14th August, 1850.]

CAP. LXVI.

An Act to authorise the Inclosure of certain Lands in Pursuance of a Special Report of the Inclosure Commissioners for England and Wales.

[14th August, 1850.]

CAP. LXVII.

An Act to reduce the Duty of Excise on Sugar manufactured in the United Kingdom, and to impose a countervailing Duty on Sugar used in the brewing of Beer for Sale; and also to amend the Laws relating to the Licenses granted to Brewers and Distillers.

[14th August, 1850.]

CAP. LXVIII.

An Act to shorten the Duration of Elections in Ireland, and for establishing additional Places for taking the Poll thereat.

[14th August, 1850.]

Sect. 1. At contested elections for counties, polling to continue for two days only.

2. Counties to be divided into districts for polling, according to the schedule to this act.

3. At contested elections for counties booths to be erected so that not more than 600 be required to poll in one booth.

4. Sheriff to appoint deputies and poll clerks for each polling booth. Poll when to be declared.

5. Cities and boroughs in Schedule (B.) to be divided into polling districts.

6. List of electors of such cities, towns, &c. to be divided by wards, &c., and so printed in the register.

7. Electors in respect of property not situate in any ward to be inserted in list of adjoining ward.

8. Electors for such cities and towns, &c., hereafter to be arranged and printed in like manner.

9. Booths at which freemen and other voters are to give their votes.

10. Freemen's booths.

11. Booths in each ward for other voters.

12. Polling places in cities or towns not mentioned in Schedule (B.)

13. At elections for cities and towns, on requisition of candidate, proposer, or seconder, arrangement to be made so that not more than 200 shall poll in each booth.

14. At such elections for cities and towns the returning officer to appoint deputy and poll clerk for each booth, and furnish list of the persons to poll thereat.

15. At elections for cities and towns, commencement and continuance of poll for one day only.

16. Duty of poll clerks at such elections. Declaration of poll.

17. Elections on or before 15th March, 1851, to be taken as if act had not passed. University of Dublin not to be affected.

18. Poll may be closed in certain cases as heretofore. Proceedings in case of riot.

19. Expense of booths. Payment to deputies and poll clerks.

20. List of electors for each booth, and notice of situation of booths.

21. No candidate to be liable to pay fee of assessor.

22. Additional polling places may be appointed upon petition from justices in quarter sessions assembled.

23. Repeal of 10 & 11 Vict. c. 81, after this act comes into operation.

24. Interpretation clause.

25. Schedules to be part of act.

26. Act may be amended &c. this session.

(To be continued).

London Gazettes.

TUESDAY, OCTOBER 1.

BANKRUPTS.

THOMAS GAMSON, Mark-lane, London, corn and seed factor, dealer and chapman, Oct. 10 at 2, and Nov. 14 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Young & Son, Mark-lane.—Petition dated Sept. 27.

WILLIAM MAYER, Bateman's-row, Shoreditch, Middlesex, timber merchant, dealer and chapman, Oct. 7 at 2, and Nov. 14 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Hooker, 8, Bartlett's-buildings, Holborn.—Petition dated Sept. 26.

MEETINGS.

Thomas Martin, Liverpool, merchant, Oct. 11 at 11, District Court of Bankruptcy, Liverpool, pr. d.—John La Guerande, Liverpool, merchant, Oct. 25 at 11, District Court of Bankruptcy, Liverpool, last ex.—Thomas Holland, Bury, Lancashire, provision dealer, Oct. 24 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Agnes Ashcroft, widow, Liverpool, and Stanhope-terrace, Gloucester-gate, Middlesex, shipowner, Oct. 24 at 11, Court of Bankruptcy, London.—Henry Williams, Great Distaff-lane, London, and Mile-end, Middlesex, builder, Oct. 24 at 12, Court of Bankruptcy, London.—George Augustus Munro, Liverpool, merchant, Oct. 24 at 11, District Court of Bankruptcy, Liverpool.—Robert Henry Wood, Birmingham, surgeon, Oct. 22 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Charles Cove, Hornchurch, Essex, builder.—Thos. Duan, Hastings, Sussex, builder.—Wm. Haslam, Hertford, chemist.—John Barnard, Stanford Rivers, Essex, baker.—J. Welch, Westbury, Wiltshire, innkeeper.—Robt. H. Parkinson, Manchester, warehouseman.—John Barker, Manchester, victualler.—Thomas Rollason and William Burman, Birmingham, china dealers.

FIAT ANNULLED.

Wm. E. Fergusson, Macclesfield, Cheshire, surgeon.

PARTNERSHIP DISSOLVED.

William Henry Clapham and Samuel H. Barrow, Great Portland-street, St. Marylebone, Middlesex, attornies, solicitors, and conveyancers.

SCOTCH SEQUESTRATIONS.

Andrew Lind & Son, Leith, tailors.—Wm. Howison, Edinburgh, painter.—James H. Baxter, Dundee, haberdasher.—Geo. W. T. Charleton, Helensburgh, chemist.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Seth Travers, Warrington, Lancashire, fustian cutter, Oct. 3 at 10, County Court of Lancashire, at Warrington.—*John Gagg* the elder, Misterton, near Gainsborough, Nottinghamshire, farmer, Oct. 14 at 9, County Court of Lincolnshire, at Gainsborough.—*Edw. Pinder*, Gainsborough, Lincolnshire, joiner, Oct. 14 at 9, County Court of Lincolnshire, at Gainsborough.—*Wm. Biggs*, Linton, Cambridgeshire, carpenter, Oct. 19 at 2, County Court of Essex, at Saffron Walden.—*D. Lloyd*, Prendergast, Haverfordwest, saddler, Oct. 18 at 10, County Court of Pembrokeshire, at Haverfordwest.—*George Davies*, Cardiff, Glamorganshire, beer-house keeper, Oct. 14 at 10, County Court of Glamorganshire, at Cardiff.—*L. Ingram*, Pontypriid, Glamorganshire, grocer, Oct. 14 at 10, County Court of Glamorganshire, at Cardiff.—*Miles Powell*, Brynmawr, Brecknockshire, innkeeper, Oct. 9 at 10, County Court of Brecknockshire, at Crickhowell.

Saturday, Sept. 28.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Nathaniel Bromly, Chatham-place, Pitt-street, Old Kent-road, Surrey, farmer, No. 72,598 C.; *P. Havens* the younger, assignee.—*Robert Godbold*, Mendham, near Harleston, Suffolk, machine-maker, No. 72,795 C.; *R. Howlett*, assignee.—*William A. Meerns* the elder, Lewisham, Kent, commission agent, No. 72,148 C.; *James Bruce*, assignee.—*John P. Smith*, Pontypool, Monmouthshire, skinner, No. 72,800 C.; *Edward Morgan*, assignee.—*Henry Needham S. Shrapnel*, Monmouth-road, Bayswater, Middlesex, in no business, No. 57,633 T.; *David Hughes*, assignee.—*Henry Williams*, Lower Lavrecha, Monmouthshire, victualler, No. 72,805 C.; *H. Gregory*, assignee.

Saturday, Sept. 28.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Joseph J. Smith, Greek-street, Soho, Middlesex, laceman: in the Debtors Prison for London and Middlesex.—*Ebenezer Shorey*, Maidstone-place, Maidstone-street, Hackney-road, Middlesex, brass finisher: in the Debtors Prison for London and Middlesex.—*John Milroy Hutchinson*, Leverian-cottage, Commercial-road, Peckham, Surrey, clerk to a patent agent: in the Debtors Prison for London and Middlesex.—*Richard Lawrence*, Queen-st., Hammersmith, Middlesex, carman: in the Debtors Prison for London and Middlesex.—*Robert Williams*, Seckford-street, Clerkenwell, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*George Knight*, Plumstead-road, Woolwich, Kent, carman: in the Debtors Prison for London and Middlesex.—*Isaac Worley* the younger, Webb's County-terrace, New Kent-road, Surrey, tailor: in the Gaol of Surrey.—*Stephen Saunders*, Bryanston-street, Portman-square, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Benjamin Edw. Denham*, King-st., Snow-hill, London, smith: in the Debtors Prison for London and Middlesex.—*Thomas Sanden Hack*, Bognor, Sussex, in no business: in the Queen's Prison.

(On Creditor's Petition).

Henry J. W. Poolethwaite, South Molton-st., Oxford-st., Middlesex, out of business: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

John Smith, Manchester, tobaccoist: in the Gaol of Lancaster.—*Wm. Preston*, Manchester, licensed victualler: in the Gaol of Lancaster.—*Henry Joliffe*, Brecknock, Brecknockshire, innkeeper: in the Gaol of Brecon.—*Lancelot Hepworth*, Bristol, grocer: in the Gaol of Bristol.—*Henry Robotham*, Stafford, Staffordshire, carrier: in the Gaol of Stafford.—*George Kirkham*, Newton-henth, near Manchester, out of business: in the Gaol of Lancaster.—*David Thomas*, Newbridge, Glamorganshire, mineral surveyor: in the Gaol of Cardiff.—*Henry Hime*, Liverpool, attorney-at-law: in the Gaol of Lancaster.—*Henry Collinson*, Newcastle-upon-Tyne,

hair dresser: in the Gaol of Newcastle-upon-Tyne.—*Robert Cawood*, Manchester, auctioneer: in the Gaol of Lancaster.—*John Schofield*, Wolstenholme Fold, near Rochdale, Lancashire, banksman at a colliery: in the Gaol of Lancaster.—*Robert Hodgson*, Manchester, auctioneer: in the Gaol of Lancaster.—*Gregory Seccombe*, Plymouth, Devonshire, auctioneer: in the Gaol of St. Thomas the Apostle.—*Edward Harvey*, Weston-super-Mare, Somersetshire, carpenter: in the Gaol of Wilton.—*Thomas Wadsworth*, Openshaw, near Manchester, out of business: in the Gaol of Lancaster.—*Ann Chief*, widow, Dukestown, Leamgunneder, Brecknockshire: in the Gaol of Brecon.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at PORTSMOUTH, Oct. 22.

Robert David Rogers, Southsea, Portsmouth, beer-house keeper.

At the County Court of Gloucestershire, at BRISTOL, Oct. 16 at 11.

Isaac Haynes, Bristol, shipping agent.—*Edward Thum*, Bristol, licensed victualler.

At the County Court of Staffordshire, at STAFFORD, Oct. 15 at 10.

Francis Leedam, Burton-upon-Trent, auctioneer.—*Harry Robotham*, Stafford, carrier.

At the County Court of Somersetshire, at TAUNTON, Oct. 18.

St. Thos. Crouch, Bridport, Dorsetshire, travelling jeweller.—*Emanuel Harvey*, Weston-super-Mare, carpenter.

FRIDAY, OCTOBER 4.

BANKRUPTS.

THOMAS HORATIO JOLLEY, Farringdon-street, London, fruit salesman, dealer and chapman, Oct. 11 at half-past 1, and Nov. 14 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Sharpe & Indermaur, 2, Devonshire-terrace, Marylebone.—Petition dated Oct. 2.

GEORGE LITTLE, Holborn-bars, London, and Commercial-place, Commercial-road, New Peckham, Surrey, maker of electrical apparatus, dealer and chapman, Oct. 11 at half-past 11, and Nov. 14 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Fitch, Southampton-street, Bloomsbury.—Petition dated Oct. 3.

THOMAS FIELDING, Rhyl, Flintshire, hotel keeper, Oct. 11 and Nov. 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Evans & Son, Liverpool.—Petition filed Sept. 28.

MEETINGS.

Thomas Basendale, Bolton-le-Moors, Lancashire, grocer, Oct. 18 at 12, District Court of Bankruptcy, Manchester, last ex.—*Thomas Dalton* and *Thomas Edwards*, Birmingham, ironfounders, Nov. 5 at 12, District Court of Bankruptcy, Birmingham, last ex.—*James Sparrow*, Oxford, draper, Oct. 26 at 11, Court of Bankruptcy, London, aud. ac. and div.—*John Croome*, Bristol, manufacturing engineer, Oct. 18 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Nov. 4 at 11, div.—*William Hulme*, Manchester, tailor and draper, Oct. 16 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Oct. 25 at 12, div.—*Thomas Holland*, Bury, Lancashire, provision dealer, Oct. 17 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Richard James*, Manchester, ale dealer, Oct. 16 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Samuel Knight*, Primethorpe, Broughton Astley, Leicestershire, hosier, Oct. 24 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Emery*, Lichfield, tailor, Oct. 22 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*James Tidmarsh*, Regent-street, Middlesex, and Cheltenham, Gloucestershire, draper, Oct. 25 at 12, Court of Bankruptcy, London, div.—*Saml. Gillett*, Chapel-street, Grosvenor-square, Middlesex, builder, Oct. 25 at 12, Court of Bankruptcy, London, div.—*Thomas Duns*, Hastings, Sussex, builder, Oct. 25 at half-past 12, Court of Bankruptcy, London, div.—*Philip Vaughan*, Brecon, Brecknockshire, scrivener, Nov. 13 at 11, District Court of Bankruptcy, Bristol.

tol, fin. div.—*D. H. Haley*, Lodge-road, near Birmingham, ironfounder, Oct. 31 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

B. B. Blackwell, Verulam-buildings, Gray's-inn, Middlesex, coffee-house keeper, Oct. 25 at 11, Court of Bankruptcy, London.—*James Poole* and *Walter Poole*, Spitalfields, Middlesex, builders, Oct. 31 at 2, Court of Bankruptcy, London.—*James Welch*, Great Distaff-lane, London, and Mile-end, Middlesex, builder, Oct. 31 at 11, Court of Bankruptcy, London.—*Thos. Thomas*, Dudley, Worcestershire, iron merchant, Nov. 5 at 12, District Court of Bankruptcy, Birmingham.

FIAT ANNULLED.

William Johnson, West Drayton, Middlesex, farmer.

PETITION ANNULLED.

Frederick Johnson, Lincoln, watchmaker.

SCOTCH SEQUESTRATION.

William M'Kenzie, Edinburgh, cement manufacturer.

DECLARATION OF INSOLVENCY.

William Crittall, Oct. 7 at 11, County Court of Kent, at Romney.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Isaac Dale, Burslem, Staffordshire, licensed victualler, Oct. 24 at 10, County Court of Staffordshire, at Hanley.—*John Harris*, Kingswood, Rowington, Warwickshire, innkeeper, Oct. 21 at 2, County Court of Warwickshire, at Warwick.—*Thomas Alcock*, Leamington Priors, Warwickshire, butcher, Oct. 21 at 2, County Court of Warwickshire, at Warwick.—*William Coleman*, Coventry, Warwickshire, weaver, Oct. 23 at 2, County Court of Warwickshire, at Coventry.—*Charles Mander*, Coventry, Warwickshire, tailor, Oct. 23 at 2, County Court of Warwickshire, at Coventry.—*Thomas Cooper*, Coventry, Warwickshire, tobacconist, Oct. 23 at 2, County Court of Warwickshire, at Coventry.—*Thomas Calvert*, Rochdale, Lancashire, moulder, Oct. 24 at 12, County Court of Lancashire, at Rochdale.—*Joseph Butterworth*, Rochdale, Lancashire, porter, Oct. 24 at 12, County Court of Lancashire, at Rochdale.—*Edmund Lord*, Rochdale, Lancashire, manager in a cotton factory, Oct. 24 at 12, County Court of Lancashire, at Rochdale.—*Joseph M'Queeny*, Milnsbridge, Almondsbury, Yorkshire, woollen cloth manufacturer, Oct. 25 at 10, County Court of Yorkshire, at Huddersfield.—*James Baren Lovell*, Wells, Somersetshire, tailor, Oct. 25 at 10, County Court of Somersetshire, at Wells.—*Mary Harper*, Talwaine, Trevelin, Monmouthshire, licensed retailer of beer, Oct. 18 at 10, County Court of Monmouthshire, at Pontypool.—*John Jones*, Llanvale, Monmouthshire, alitter, Oct. 24 at 10, County Court of Monmouthshire, at Tredegar.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at MORPETH, Oct. 29 at half-past 10.

Henry Young, North Shields, innkeeper.

At the County Court of Lancashire, at MANCHESTER, Oct. 18 at 2.

James Cassidy, Manchester, tailor.

At the County Court of Carmarthenshire, at CARMARTHEN, Oct. 22 at 2.

John Lewis, Glyn-mill, Llangendeirne, farmer.—*Morgan Jones*, Llanelly, victualler.

At the County Court of Bedfordshire, at BEDFORD, Oct. 24 at 12.

Charles Gazeley, Bedford, victualler.

At the County Court of Warwickshire, at WARWICK, Oct. 21.

Matthew Sigge, Birmingham, horse dealer.

At the County Court of Warwickshire, at COVENTRY, Oct. 23.

Thomas Perks, Birmingham, out of business.—*Jos. Chastwin*, Birmingham, lamp manufacturer.

At the County Court of Derbyshire, at DERBY, Oct. 26 at 11.

Matthew Brown, Beighton, out of business.—*Joseph Webb White*, Pendleton, Lancashire, stage coachman.

MEETING.

Joseph Bullock, Oxford, out of business, Oct. 15 at 12, Jacobs's, New Inn, Lechlade, Gloucestershire, sp. aff.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—*William Hunt*, of Nottingham; *Samuel Barfield*, of Thatcham, Berkshire.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—*Henry Danby Seymour*, Esq., for the town of Poole, in the room of *George Richard Robinson*, Esq., deceased.

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The Jurist

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OCTOBER 12, 1850.

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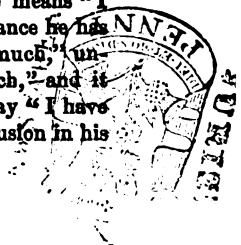
It is wonderful, that, with such constantly recurring instances of the mischief caused by vagueness of language in statutes, it should still continue to be the practice of the Legislature to use, even in the best drawn statutes, language studiously vague, when to use precise and unmistakeable language would have been perfectly easy. A very recent case, under the Wills Act, (*Cole v. Scott*, 14 Jur., part 1, p. 25), strongly exemplifies the shifts to which judges are driven by this legislative practice. In that case, a testator, dating his will, devised all his real and leasehold estates "whereof I am *now* seised or possessed," and he afterwards contracted for the purchase of other freehold property; and the question being, whether such after-acquired property passed—in other words, whether the will was to speak from its date, or from the date of the death—it was held that the after-acquired property did not pass.

It is of exceedingly little importance whether the general rule be that a will should speak from its date, or from the date of the death; that which is of importance is, that it should do one or the other with certainty. Nor is there much better reason for saying that a testator must be supposed to intend to pass by his will all that he has at the date of his death, than that he must be supposed to intend to confine his bequests to that which he possesses when he makes his will. On the contrary, when a man makes his will, he is really, in general, thinking and writing of his property as it is, and not as it may be. The old rule of law was, however, as to personalty, and the new rule, under the Wills Act, as to realty as well, is, to make the will speak from the death, "unless a contrary intention shall appear by the will." In the case of *Cole v. Scott*, a con-

trary intention was held to appear from the insertion of a date to the will, and the use of the word "now." "My difficulty," said the Lord Chancellor, "is this—a date is given, coupled with the word 'now.' It would be a strong thing to say that that is not to apply to the time named. Had the words been 'whereof I am seised,' there would not have been the same difficulty, and that would be the time from which the will speaks; but by the introduction of the word 'now,' the testator has fixed another date, to which the word is applicable." Now, whether the decision in *Cole v. Scott* was right or not, it cannot escape observation, that, in the reasoning on which it was based, the Court was driven to an extraordinary degree of refinement in order to decide something, when the vagueness of the act of Parliament left it without guide, or perhaps in order to escape from putting on the will the construction primarily directed by the act—a construction which, in nine cases out of ten, does not at all meet the real intention of the testator. It is conceded, and is abundantly clear, that if a testator simply devises all "I am seised of," &c., that will pass after-acquired estates. It is undoubtedly the fact, that a great many wills are made long before death, and that almost all wills have a date. Therefore, where a man, writing in the year 1850, devises all "I am seised of," and dies in 1860, having increased his store, the law says that he meant in 1850, by all "I am seised of," all that I shall be seised of in 1860. On the other hand, if one asks any living man what he means by "I have" or "I am," he means "I have or am *now*." If you ask him what balance he has at his banker's, and he replies "I have so much," unquestionably he means "I have *now* so much," and it never would occur to him that he must say "I have *now* so much," in order to prevent the conclusion in his

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hearer's mind, that he meant to refer to what he should have at a future time. So it may be most reasonably supposed, that if a man were asked what he meant when he writes in his will "I give all I *am* possessed of," he would answer, "all that I am now possessed of;" inasmuch as no man (supposing him ignorant of law) imagines that "I am" means "I shall be," or says "I give what I have," meaning "I give what I shall have."

Therefore, it being admitted that a will, using the words "I give what I am possessed of," speaks from the date of the death, although it may bear an antecedent date; and that in every verbal or written statement, not being subjected to the rule of the Wills Act, men mean the present state of things when they use the present tense; it is certainly a very refined reasoning which makes the word "now," requisite in a will, to indicate that the present tense does not include the future. We are not having the boldness, any more than the inclination, to quarrel with *Cole v. Scott* as law. We are only too glad to see the point arising in it decided, because then we have at least a rule settled as to one class of expressions of intention; but it is lamentable that an act of Parliament should make it necessary for a Court to decide upon reasoning so artificial, and in itself unsatisfactory. If the statute had said that all wills shall speak from the death of the testator, unless he expressly directs otherwise, there would then scarcely ever be any difficulty. But so long as the rule remains as it is, there must be always great difficulty in advising in any case raising the question, what is a "contrary intention appearing by the will." For if there be a substantial difference between the meaning of "I am" and "I am now," what are the expressions, not being on all fours, between which astuteness may not perceive a distinction?

**PUBLIC GENERAL STATUTES.
13 & 14 VICTORIA.—SESSION 3.**

(Continued from p. 369).

CAP. LXIX.

An Act to amend the Laws which regulate the Qualification and Registration of Parliamentary Voters in Ireland, and to alter the Law for rating immediate Lessors of Premises to the Poor-rate in certain Boroughs. [14th August, 1850.]

Provisions as to Qualification.

Sect. 1. Occupiers of lands rated for the poor-rate at a net annual value of 12*l.* or upwards, and being registered under this act, to be entitled to vote at elections for counties in Ireland.

2. Persons entitled to estates in fee, or in tail, or for life, of the rated value of 5*l.*, to have votes for counties.

3. After completion of first general register, no one to vote at a county election on a qualification requiring occupation, unless qualified under this act.

4. No persons to have votes for counties in respect of lands situate within the boundaries of cities and boroughs.

5. Occupiers of lands or premises rated for the poor-rate at a net annual value of 8*l.* or upwards, and being registered under this act, to be entitled to vote at elections for cities or towns in Ireland.

6. Provision as to joint occupiers in cities or towns.

7. Provision as to premises occupied in succession.

8. After completion of the first general register no one to vote at an election for a city, town, or borough on a qualification requiring occupation, unless qualified under this act.

9. Provisions as to trust and mortgage estates in counties and boroughs.

10. Provisions of recited act in respect of registration, &c. to be repealed from the 8th September, 1850, save as here excepted.

11. Laws in force before the passing of this act, as to right of voting and registration, to continue in force until the periods here mentioned.

12. No person to vote after 15th March, 1851, unless registered under this act.

13. Length of possession required previous to registration under this act for counties.

14. Certain conditions required previous to registration under this act for boroughs.

County Registration.

15. Clerk of the peace in counties to prepare list of persons now registered.

16. Precepts and lists to be printed, and clerk of peace to send his precept to clerks of unions, together with copies of registers of voters.

17. In the year 1850 clerks of unions to make out and transmit to clerks of peace returns of persons rated as occupiers of lands of annual value of 12*l.* or upwards who have duly paid their poor-rates.

18. Clerk of peace in the year 1850, at the end of the list of registered voters for each barony, to annex a supplemental list of rated occupiers returned by clerk of union not on former list, and to make objections as herein required, and to publish such lists.

19. Clerks of unions to enter on the copy of register of each barony objections to all persons therein stated to be qualified as rated occupiers of lands of annual value of 12*l.* or upwards, who have not duly paid their poor-rates, or are otherwise not entitled, and to return such copy of register to clerk of peace.

20. In every year after 1851 clerks of unions also to transmit to clerk of peace supplemental lists of persons rated as occupiers of lands of annual value of 12*l.* or upwards who have paid their poor-rates, and are not already on the register for the barony.

21. Clerk of peace on copy of register of each barony returned by clerk of union to enter objections to persons not entitled as herein required, and to publish such copy of register.

22. Clerks of peace to give notice annually, requiring voters to claim.

23. Clerks of peace to prepare lists of claimants, make objections, &c. Copies of lists to be kept for inspection, without fee, for fourteen days, and may be sold.

24. List of registered voters, or the copy of register for each barony, with the list of claimants, to be deemed the list of voters for such barony.

25. Claimants and registered voters empowered to inspect rate-books, and to take extracts, without fee.

26. Registered voters empowered to object to persons registered or claiming. Notice of objection.

27. Clerk of the peace to make out a list of persons objected to, which shall be open to inspection, and shall be published.

Borough Registration.

28. Clerk of the peace acting for boroughs to prepare list of persons now registered, except as herein mentioned.

29. Precept, forms, and printed lists to be delivered by the clerk of the peace to the town-clerk.

30. Town-clerks of boroughs, &c. to publish previous to registration notice requiring payment of poor-rate.

31. Town-clerks empowered to inspect rate-books, and obtain list of defaulters. Poor-rate collector to deliver to town-clerk list of defaulters, if required. Town-clerk to keep list, to be open to inspection, without fee.

32. Clerks of unions to transmit to town-clerk lists of persons rated as occupiers of premises of an annual value of 8*l.* or upwards.

33. Town-clerk to make out annually lists of persons entitled to vote. Persons now registered to be placed on such lists, unless disqualified. Lists when signed to be published and sold.

34. Persons omitted from lists of voters may claim, and lists of claimants to be made and published, and sold.

35. Registered voters and claimants may inspect rate-books.

36. Who may object. Notice of objection shall be given.

37. Lists of persons objected to shall be made and published, and sold.

38. Town-clerk shall deliver copies of lists to the clerk of the peace.

General Provisions as to Registration.

39. Mode of publication.
40. Term of publication.
41. Penalty for hindering publication.
42. Lists not to be invalidated by imperfect publication.
43. If no list made out former list to be in force.
44. Abstracts of lists to be transmitted to assistant barristers empowered to revise them.
45. Remuneration to barristers.
46. Assistant barristers of counties to hold courts for purposes of revision at the several polling places for such counties, &c.
47. Assistant barristers now acting in registration of voters for boroughs to hold courts of revision in such boroughs.
48. Officers who shall attend courts of revision in counties. What documents shall be produced.
49. Officers who shall attend revision courts in boroughs. What documents shall be produced.
50. Collectors of rates shall attend revision courts, if required.
51. Voters who reside out of polling district may make claim to vote at the polling place of the district where they reside.
52. Claimants, if omitted by clerk of peace from list of claimants, may, on proof of notice and qualification, be placed on list of voters for counties.
53. Like provision as to boroughs.
54. Such persons may be objected to.
55. Duties of barristers in revising lists. Persons now registered (save as excepted) shall be *prima facie* entitled to be registered under this act.
56. Powers of barristers to adjourn courts, administer oaths, &c.
57. Court of revision under this act a court of record. Power of assistant barrister to fine officers, &c.

General Provisions as to Registration and Appeal.

58. Appeal from barrister's decision on points of law.
59. Who shall be respondents in appeal.
60. Power to consolidate appeals.
61. Proceedings on consolidated appeals.
62. Barrister may award costs to or against claimants or objectors.
63. Revised lists of voters to be transmitted to the clerk of peace in counties, who shall cause them to be printed in a book, which shall be delivered to the sheriff.
64. Revised lists for boroughs shall be delivered to the clerk of the peace acting for such borough, who shall cause them to be printed in a book, and deliver the same to the returning officer.
65. Books so prepared shall constitute the register for one year. Printed copies of register to be kept for sale.
66. Officers may be fined by barrister for non-attendance.
67. Clerks of unions, clerks of peace, and town-clerks may be fined for neglect of duty.
68. Fines, to whom payable.
69. Application of monies arising from the sale of register and forms.
70. Expenses of the clerks of peace, how to be defrayed in counties and boroughs wholly situate in one county at large.
71. Such expenses, how to be apportioned and defrayed in boroughs situate in two or more counties.
72. Expenses of town-clerks to be settled by barrister, and defrayed by grand jury presentment.
73. Guardians of unions to allow annual remuneration to clerks of unions for duties under this act.
74. Appeals to be heard by Court of Exchequer Chamber, consisting of three or more judges.
75. Notice of prosecution of appeal to be given.
76. Sittings of the Court of Exchequer Chamber for purposes of this act; how to be fixed.
77. No appeal to be heard unless notice shall have been given.
78. No appeal on questions of fact. Court may remit appeal to assistant barrister, to be more fully stated.
79. Decisions of court of appeal final and binding.
80. Register to be corrected in pursuance of decision of court of appeal.
81. Copies of decisions shall be evidence.

82. Appeal pending not to affect right of voting.
83. Power to court to make orders respecting costs.
84. Costs and fines imposed by barristers, how recoverable.
85. Register to be conclusive evidence of right to vote.
86. Persons rejected by barrister may tender their votes.
87. In the case of rated occupiers, the diminution of value on appeal, or the quashing of the rate after a vote given at an election, not to invalidate such vote.
88. No inquiry at election, except as to identity of voter, and whether he has already voted.
89. No other oath to be taken.

Clauses as to Personation.

90. Persons personating voters guilty of a misdemeanour.
91. Aiders and abettors punishable as principals.
92. Agents to detect personation may be appointed.
93. Persons charged with personation of voters may be taken into custody;
94. And brought before two justices.
95. Offenders may be committed for trial.
96. Justices may award compensation to persons unjustly charged.
97. Power to provide a sufficient attendance of constables at polling places.
98. Duty of returning-officer when vote has been received, and another party tenders in respect of the same qualification.

Clauses as to Custody of Poll-books.

99. Provision for custody of poll-books.
100. Office copies evidence.
101. Clerk of Crown and High Sheriff shall keep poll-books;
102. And produce them before committee of House of Commons when required.
103. Officers liable to action for breach of duty.

Miscellaneous Provisions.

104. Powers of select committee of House of Commons on petition in respect of right of voting.
105. Select committee may correct poll and register in certain cases.
106. Who shall discharge duty of town-clerk when there is no such officer in any borough. In Galway all matters required to be done, &c. by the town-clerk shall be done, &c. by the clerk of the commissioners acting under 6 & 7 Will. 4, c. 117.
107. Poor-law Commissioners to cause the names of baronies in which townlands are situate to be inserted in rate-books.
108. Rate-books, or compared copies thereof, to be *prima facie* evidence.
109. Collector of poor-rates, or deputy, &c., shall attend to receive poor-rates. Penalty for not making return of payments, and for other offences.
110. Occupiers of land or premises valued at 12*l.* in counties, or 8*l.* in towns, may claim to be rated.
111. No person entitled to be registered who has received relief under acts for relief of destitute poor.
112. How distances to be measured in respect of boroughs.
113. Notices of objections may be sent by post.
114. Other notices, how sent.
115. Errors and misdescriptions not to prevent operation of act, &c.
116. Certain provisions of 6 & 7 Vict. c. 92, repealed as to certain boroughs. Where premises in certain boroughs are rated at a value under 8*l.*, the rate is to be made on the immediate lessors.
117. Interpretation of terms.
118. Schedules deemed part of act.
119. Act not to extend to University of Dublin.
120. Act may be amended &c.

CAP. LXX.

An Act empowering the Canterbury Association to dispose of certain Lands in New Zealand. [14th August, 1850.]

CAP. LXXI.

An Act to continue an Act of the eleventh and twelfth Years of the Reign of her present Majesty, intituled "An Act to prevent, until the 1st Day of September, 1850, and to the End of the then Session of Parliament; the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals." [14th August, 1850.]

CAP. LXXII.

An Act to amend the Laws for the Registration of Assurances of Lands in Ireland. [14th August, 1850.]

Sect. 1. Ordnance maps to be adapted and used for the purposes of this act.

2. Land indexes to be made, having references to the maps.

3. Commissioners of the Treasury to give notice of commencement of registration under this act.

4. No memorial of assurances to be registered; but all such assurances may be registered by depositing an original, and making the proper entries. The documents deposited to be made up into books or parcels, and numbered.

5. An index, to be called "The Index of Titles," to be kept for all Ireland; and assurances to be indexed in such index, under heads designated by numbers.

1. Where the grantor does not derive title under any registered assurance, the assurance is to be indexed under a new head.

2. Where the grantor does derive title under a registered assurance, the assurance is to be indexed under the same head as the assurance under which title is derived.

3. Power enabling an assurance required by regulation 2 to be indexed under an existing head to be indexed under a new head.

4. No assurance to be indexed under more than one head.

5. Particulars to be expressed on indexing an assurance.

6. The grantor of an equity of redemption is not to be considered as deriving his title under the mortgage deed.

6. Entries to be made in "Land Index" containing references to the entries in the "Index of Titles."

7. Decrees in equity creating, declaring, transferring, foreclosing, or determining interests in land, and also decrees in equity by which any such decrees shall be varied or reversed, and orders of exchange, partition, or division and allotment made by Incumbered Estates Commissioners, are to be considered assurances. Civil bill decrees under 56 Geo. 3, c. 88, may be registered.

8. Every private act of Parliament affecting lands to be an assurance.

9. Affidavit of ownership made under 13 & 14 Vict. c. 29, to be an assurance.

10. Where by a public act any lands are vested upon the payment of money, &c., a memorandum of the payment or other act may be registered. This clause not to extend to the vesting of the estate of a bankrupt or insolvent.

11. Equitable mortgage by deposit of deeds may be registered by depositing a memorandum.

12. Liens by reason of non-payment of purchase-money may be registered by depositing a memorandum.

13. The assurance to be considered to have been made by the person whose right, &c. in the lands shall be bound by the decree, &c.

14. Registration of wills.

15. Letters of administration or affidavit of intestacy may be registered.

16. An index, to be called "The Index to Wills and Administrations," to be kept for Ireland; and where a will, letters of administration, or affidavit is registered, an entry of the testator's or intestate's name to be made in such index, and also an entry of the will, letters, or affidavit.

17. Where the original is lost, a copy or extract may be deposited. In case of an extract, the registration to be effectual only as far as the extract agrees with the original.

18. Where the document directed by this act to be deposited at the register office is required to be deposited at any other office or place, a copy may be deposited at the register office.

19. Power to any person claiming under an assurance to compel the registration thereof by application to a judge.

20. Power to judge to make order as to costs, and to order an office copy to be furnished at the expense of the applicant.

21. Appointments of assignees in bankruptcy in England and Ireland, and acts and warrants of confirmation in Scotland, may be registered by deposit of copy and making proper entry.

22. Any order or appointment, &c. of assignees in insolvency may be registered by deposit of a copy or certificate and making the proper entry.

23. An index, to be called "The Index to Bankrupts and Insolvents," to be kept for Ireland.

24. Assurances authorised to be registered to be void as against purchasers, unless registered.

25. Estate or interest arising under public act upon payment of money, &c. Equitable mortgage by deposit of deeds, and lien for purchase-money, to be void as against purchaser, unless memorandum registered.

26. Assurance duly entered as to part only of the lands to be deemed duly registered as to such part.

27. Unregistered will to be void against purchaser from persons entitled under a registered will, or in default of a will where letters of administration or affidavit of intestacy registered.

28. Purchasers protected against bankruptcy and insolvency unless appointment of assignees, &c. be registered.

29. The priority given by the preceding clauses to be enforced in equity, notwithstanding notice.

30. Purchaser for valuable consideration not to be affected by notice of uses or trusts not manifested by a registered assurance, nor by uses or trusts declared by reference to an unregistered assurance.

31. Persons interested under uses or trusts affecting estates vested under a registered assurance may enter an inhibition against alienation.

32. Inhibition to be entered in index of titles.

33. Provision for cancelling inhibition.

34. Court of Chancery may restrain registrar from cancelling inhibition.

35. Persons claiming under assurances made while inhibition is on the registrar to be affected by uses and trusts not shown by a registered assurance.

36. Assurances registered at the same time to have priority according to the time of execution.

37. The protection of the act to extend to persons who claim under purchasers.

38. Protection by legal estate and tacking not to be allowed.

39. Power for any person to require an entry to be made under any head in index of titles referring to any assurance indexed under any other head.

40. An assurance which would have the effect of merging any interest not to have such effect as against a subsequent purchaser of such interest, unless an entry be made to lead such purchaser to the assurance.

41. Power to enter a caveat.

42. Mode of entering caveats.

43. Extent of protection to be afforded by caveats.

44. The protection of caveats restricted to specified cases.

45. A seal to be kept, and the impressions to be taken judicial notice of.

46. Duplicates of deposited documents may be compared at the office, and certified. Every document so certified to be received as evidence that another part of the same assurance has been deposited.

47. Copies of and extracts from deposited instruments to be provided, on application, and to be certified. The seal of the office, with a certificate, to be evidence of such copies and extracts.

48. Where there are duplicates of a registered assurance, one duplicate to be exempted from stamp duty, provided the deposited document is duly stamped. The exemption not to apply to duplicates of leases where either part is executed by lessee.

49. Memorials, office copies, extracts, and requisitions to be exempt from stamp duty.

50. Documents deposited at the register office not to be removed except on legal process.

51. Wills deposited at the register office may be removed for the purpose of being proved, &c. After being proved, &c. the will is to be returned.

52. Searches of the indexes to be permitted, and inspections of deposited instruments allowed. Searches of the indexes to be made on requisition, and certificates given.

53. The duties of attorneys, &c. to be fulfilled by causing an office search to be made. Attorneys, &c. indemnified in relying on the accuracy of certificates.

54. Power to the registrar to order that documents to be deposited shall be written bookwise, or otherwise, &c. Additional payment on persons sending documents to be deposited which shall not be conformable with such order.

55. Power to the registrar to require statements for relating the entries to be sent with assurances.

56. No officer of the register office to be responsible for omissions or mistakes occasioned by defects in the statement.
 57. Treasury to fix fees to be taken under this act.
 58. Power for the Treasury to make regulations as to numbering documents, making entries, examining documents, making copies, extracts, and searches, granting certificates, &c.
 59. Registration under this act to have the same effect against acts prior to commencement of registration as registration under former acts.
 60. Entries of decrees, judgments, rules, statutes, recognisances, Crown debts, and acceptances of office under 7 & 8 Vict. c. 90, not affected.
 61. Shares in companies not to be affected.
 62. Punishment for forging signatures required by this act, or counterfeiting impressions of the seal of the register office.
 63. Power to the Treasury to consolidate the registrar of judgments office with the office established under 7 & 8 Vict. c. 90.
 64. Interpretation of terms.
 65. Act may be amended &c.

CAP. LXXXIII.

An Act to amend the Law relating to Proceedings by Process of Attachment of Goods in the Borough and other Courts of Record in Ireland. [14th August, 1850.]

CAP. LXXXIV.

An Act for the better Regulation of the Office of Registrar of Judgments in Ireland. [14th August, 1850.]

CAP. LXXXV.

An Act to regulate the Receipt and Amount of Fees receivable by certain Officers in the Court of Common Pleas. [14th August, 1850.]

- Sect. 1. Officers to render an account to the Treasury.
 2. On future vacancy fees may be reduced.
 3. Notice to be given to the Treasury of any new appointment.
 4. Disbursements not to be increased without consent of Treasury.
 5. Act may be amended &c.

CAP. LXXXVI.

An Act to provide for the Division of the Deanery of St. Burian into three Rectories, and for abolishing the Royal Peculiar of St. Burian. [14th August, 1850.]

CAP. LXXXVII.

An Act to enable her Majesty to make a suitable Provision for his Royal Highness the Duke of Cambridge, and also for her Royal Highness the Princess Mary of Cambridge. [14th August, 1850.]

CAP. LXXXVIII.

An Act to enable her Majesty to make Provision for the Residence of his Royal Highness Albert Edward Prince of Wales in Marlborough House during the joint Lives of her Majesty and his Royal Highness. [14th August, 1850.]

CAP. LXXXIX.

An Act to continue certain Turnpike Acts in Great Britain, and to make further Provisions respecting Turnpike Roads in England. [14th August, 1850.]

CAP. LXXXX.

An Act to repeal Part of an Act of the fifteenth Year of King George the Third, for the Encouragement of the Fisheries carried on from Great Britain, Ireland, and the British Dominions in Europe, and for securing the Return of the Fishermen, Sailors, and others employed in the said Fisheries to the Ports thereof at the End of the Fishing Season. [14th August, 1850.]

CAP. LXXXI.

An Act to explain an Act of the last Session for amending an Act for the Regulation of Municipal Corporations in Ireland, so far as relates to the Borough of Dublin. [14th August, 1850.]

(To be continued).

London Gazettes.

TUESDAY, OCTOBER 8.

BANKRUPT.

WILLIAM GRAYSON, Mortlake, Surrey, market gardener, Oct. 23 and Nov. 19 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Fisher, 35, Queen-square, Bloomsbury.—Petition filed Oct. 1.

MEETINGS.

David Lees, Wednesbury, Staffordshire, coach ironwork manufacturer, Oct. 19 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—*John Veevers*, Cheapside, London, woollen warehouseman, Oct. 29 at 12, Court of Bankruptcy, London, div.—*Isaac Blackburn*, Minorities, and Northumberland-alley, Fenchurch-street, London, engineer, Oct. 29 at 1, Court of Bankruptcy, London, div.—*Frederick Burghart*, Clifford-street, Bond-street, Middlesex, tailor, Oct. 31 at 1, Court of Bankruptcy, London, div.—*John Aptin*, Bicester, Oxfordshire, scrivener, Oct. 31 at 12, Court of Bankruptcy, London, div.—*Henry Ashley*, Fleet-street, and Little Carter-lane, Doctors'-commons, London, carrier, Oct. 31 at 2, Court of Bankruptcy, London, div.—*Wm. Varnam*, Ibsstock, Leicestershire, draper, Nov. 2 at 11, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Thomas Goode*, Hereford, chemist, Nov. 2 at 11, District Court of Bankruptcy, Birmingham, div.—*George Bodington*, Birmingham, chemist, Oct. 31 at 12, District Court of Bankruptcy, Birmingham, div.—*John Davies*, Dudley Port, Staffordshire, ironmaster, Oct. 31 at 12, District Court of Bankruptcy, Birmingham, fin. div.—*Thos. Cooper* the elder, Wolverhampton, Staffordshire, locksmith, Oct. 31 at 12, District Court of Bankruptcy, Birmingham, div.—*Thos. Thomas*, Dudley, Worcestershire, iron merchant, Oct. 31 at 12, District Court of Bankruptcy, Birmingham, div.—*John Hall*, Shrewsbury, Shropshire, timber merchant, Oct. 31 at 12, District Court of Bankruptcy, Birmingham, fin. div.—*Frederick Stoessiger*, Birmingham, jeweller, Oct. 31 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Richard Copland, Union-street, Whitechapel, Middlesex, linedraper, Oct. 30 at 11, Court of Bankruptcy, London.—*Ralph Nuttall*, Macclesfield, Cheshire, silk manufacturer, Oct. 30 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Francis Webster, Green Writtle, Essex, innkeeper.—*Dirk Horatio Haley*, Horley-beath, Staffordshire, ironfounder.—*Frederick Stoessiger*, Birmingham, jeweller.—*William Ward Evans*, Ludlow, Shropshire, butcher.

PARTNERSHIP DISSOLVED.

James Hilton Hulme and *William Masson*, Manchester, attornies and solicitors.

SCOTCH SEQUESTRATION.

John M' Larty, Lochranza, Arran, innkeeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Bennett, Glossop, Derbyshire, druggist, Oct. 18 at 2, County Court of Lancashire, at Manchester.—*John Hogg*, Irthington, Cumberland, farmer, Oct. 29 at 9, County Court of Cumberland, at Carlisle.—*Andrew Robinson*, Carlisle, Cumberland, shoemaker, Oct. 29 at 9, County Court of Cumberland, at Carlisle.—*Thomas Railton Taylor*, Wigton, Cumberland, grocer, Oct. 26 at 11, County Court of Cumberland, at Wigton.—*Ann Bullen*, Great Ellingham, Norfolk, grocer, Nov. 7 at 9, County Court of Norfolk, at Attleborough.—*Rebecca Parker*, Great Ellingham, Norfolk, grocer, Nov. 7 at 9, County Court of Norfolk, at Attleborough.—*John Connors*, Newcastle-upon-Tyne, waiter, Oct. 24 at 10, County Court of Northumberland, at Newcastle.—*Thomas Walker*, Fell-side, Whickham, Durham, lessee of lead-mines, Oct. 30 at 10, County Court of Durham, at Gateshead.—*John Avery*, Newcastle-upon-Tyne, lodging-house keeper, Oct. 24 at 10,

County Court of Northumberland, at Newcastle.—*William Johnson*, Newcastle-upon-Tyne, sail maker, Oct. 24 at 10, County Court of Northumberland, at Newcastle.—*D. Barron*, North Shields, Northumberland, publican, Oct. 24 at 10, County Court of Northumberland, at Newcastle.—*William Kinnell*, Ipswich, Suffolk, brickmaker, Oct. 24 at 1, County Court of Suffolk, at Woodbridge.—*Isaac Kemp*, Worthingworth, Suffolk, bricklayer, Oct. 24 at 9, County Court of Suffolk, at Framlingham.—*J. Whitlock*, Kidlington, Oxfordshire, horse dealer, Oct. 30 at 11, County Court of Oxfordshire, at Woodstock.—*Thomas England* the younger, Bradford, Wiltshire, baker, Oct. 14 at 12, County Court of Wiltshire, at Bradford.—*John Jones*, Liverpool, grocer, Oct. 14 at 10, County Court of Lancashire, at Liverpool.—*John Taylor*, Liverpool, assistant to a grocer, Oct. 14 at 10, County Court of Lancashire, at Liverpool.—*Thomas S. Williams*, Liverpool, baker, Oct. 14 at 10, County Court of Lancashire, at Liverpool.—*John Wright*, Liverpool, looking-glass manufacturer, Oct. 14 at 10, County Court of Lancashire, at Liverpool.—*John Black*, Liverpool, joiner, Oct. 14 at 10, County Court of Lancashire, at Liverpool.

Saturday, Oct. 5.

The following Assignee has been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Francis, St. Dogwells, Pembrokeshire, farmer, No. 72,721 C.; *Henry Phillips*, assignee.

Saturday, Oct. 5.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James Rogers, Northumberland-st., Strand, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*John Read*, Albion-terrace, Derby-road, Kingsland-road, Middlesex, warehouseman: in the Queen's Prison.—*William Thompson*, Kennington-villas, Upper Kennington-lane, Surrey, surgeon: in the Debtors Prison for London and Middlesex.—*John Northcroft*, Chancery-lane, Middlesex, law writer: in the Debtors Prison for London and Middlesex.—*Alfred Simms*, Birmingham, cigar manufacturer: in the Gaol of Coventry.—*Sylvester Harrington*, Swansea, Glamorgan-shire, out of business: in the Gaol of Cardiff.—*Richard Procter* the younger, Skipton-in-Craven, Yorkshire, saddler: in the Gaol of York.—*Charles Smith*, All Saints, Worcester, coal dealer: in the Gaol of Worcester.—*Wm. Morley*, Bilton-with-Harrogate, Yorkshire, porter dealer: in the Gaol of York.—*William Cartledge*, Sheffield, Yorkshire, scythe grinder: in the Gaol of York.—*Joseph Brooks*, Birmingham, cordwainer: in the Gaol of Coventry.—*Robert Hargreaves*, Windhill, near Bradford, Yorkshire, farmer: in the Gaol of York.—*Richard Hood*, Maney, Warwickshire, labourer: in the Gaol of Coventry.—*Wm. Weaver*, Leckhampton, Gloucestershire, retailer of beer: in the Gaol of Gloucester.—*S. Ramsden*, Leeds, Yorkshire, clothier: in the Gaol of York.—*Hannah Dean*, Pudsey Far-town, near Leeds, Yorkshire, farmer: in the Gaol of York.—*Wm. Smith*, Addingham, near Skipton, Yorkshire, agent for the sale of cotton cloth: in the Gaol of York.—*John Scott*, Clitheroe, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Joshua Dineley*, Lancaster, attorney-at-law: in the Gaol of Lancaster.—*John Howell*, Burnley, Lancashire, shoemaker: in the Gaol of Lancaster.—*Abraham Eitchells*, Manchester, bread baker: in the Gaol of Lancaster.—*Edward Worsley*, Liverpool, book-keeper: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at MORPETH, Oct. 29 at half-past 10.

Wm. Hind, Aydon White House, out of business.

At the County Court of Northumberland, at NEWCASTLE, Oct. 24 at 10.

Henry Collinson, All Saints, out of business.

FRIDAY, OCTOBER 11.

BANKRUPTS.

WILLIAM GOODE the younger, Monmouth, linendraper, dealer and chapman, Oct. 23 at 1, and Nov. 22 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Jones, Sise-lane, London.—Petition filed Oct. 1.

JOSEPH WORSEY and **JAMES BIGGS**, Aston, near Birmingham, wire manufacturers, dealers and chapmen, Oct. 24 and Nov. 26 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Caldicott & Canning, Dudley; Reece, Birmingham.—Petition dated Oct. 10.

BENJAMIN MURRAY, formerly of Stockton-upon-Tees, Durham, innkeeper, wine and spirit merchant, dealer in Roman cement, and farmer, and now of Stockton-upon-Tees, farmer, Oct. 18 at half-past 10, and Nov. 22 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Brignal, Durham; Hartley, 6, Southampton-st., Bloomsbury, London.—Petition filed Oct. 7.

THOMAS HORSFIELD, Wheelock, near Sandbach, Cheshire, coal and bone dealer, and salt proprietor, dealer and chapman, (late carrying on business at Wheelock with James Horsfield, under the style or firm of James Horsfield & Son), Oct. 23 and Nov. 11 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Bagshaw & Sons, Manchester; Yates, Liverpool.—Petition filed Oct. 8.

MEETINGS.

Joseph Nash and *Thomas Neale*, Reigate and Dorking, Surrey, bankers, Nov. 4 at 11, Court of Bankruptcy, London, last ex., aud. ac., and div.—*John Appleby*, Shindcliffe-mill, Durham, miller, Oct. 18 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John G. Peasegood*, Sheffield, Yorkshire, draper, Nov. 2 at half-past 11, Court of Bankruptcy, London, aud. ac.—*James Henry Mills*, Hove, Sussex, broker, Nov. 2 at half-past 11, Court of Bankruptcy, London, aud. ac. and div.—*Robert Kennet*, Broadway, Westminster, and Wilton Mews and Wharf, Wilton-road, Pimlico, Middlesex, licensed victualler, Oct. 23 at 1, Court of Bankruptcy, London, aud. ac.—*John Taylor* the younger, Littleworth, Gloucestershire, licensed victualler, Oct. 24 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Richard Kailley*, Cheltenham, Gloucestershire, builder, Nov. 8 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Alexander Speers Corrick*, Bristol, timber dealer, Nov. 1 at 12, District Court of Bankruptcy, Bristol, aud. ac.—*Henry Hollis*, Liverpool, tea dealer, Oct. 25 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*G. Rogers*, Compstall-bridge, Cheshire, grocer, Oct. 25 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Francis Sanders* and *Charles Sanders*, Derby, corn merchants, Nov. 15 at 10, District Court of Bankruptcy, Nottingham, aud. ac.; Nov. 22 at 10, div.—*George Bodington*, Birmingham, chemist, Oct. 24 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Thomas*, Dudley, Worcestershire, iron merchant, Oct. 24 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Richard B. Perkins*, Coventry, currier, Nov. 5 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Nov. 7 at 12, div.—*Joseph C. Brown*, Taunton, Somersetshire, draper, Oct. 23 at 1, District Court of Bankruptcy, Exeter, aud. ac.—*James Dominy*, Sea, Ilminster, Somersetshire, currier, Oct. 24 at 1, District Court of Bankruptcy, Exeter, aud. ac.—*Samuel W. Rickman*, Hailsham, Sussex, innkeeper, Nov. 4 at half-past 11, Court of Bankruptcy, London, div.—*George Thorneloe*, High-street, Poplar, Middlesex, grocer, Nov. 4 at 2, Court of Bankruptcy, London, div.—*Charles Miers Collett*, Hammermith, Middlesex, attorney, Nov. 4 at half-past 11, Court of Bankruptcy, London, div.—*George Frederick Gardener*, Rayleigh, Essex, grocer, Nov. 4 at 12, Court of Bankruptcy, London, div.—*Richard Good*, Bishopsgate-street Without, London, stationer, Nov. 4 at 12, Court of Bankruptcy, London, div.—*James Amos* and *Charles Sutherland*, St. Helen's-place, London, merchants, Oct. 25 at 11, Court of Bankruptcy, London, div.—*George John Carter*, Hornsey-cottage, Hornsey-road, Middlesex, carpenter, Nov. 1 at 1, Court of Bankruptcy, London, div.—*Thomas Blenkarn*, Chancery-lane, Middlesex, law bookseller, Nov. 1 at 12, Court of Bankruptcy, London, div.—*James Thomson*, King-street, Camden-town, Middlesex, draper, Nov. 1 at half-past 1, Court of Bankruptcy, London, div.—*Eli Saul*, Tabernacle-walk, Finsbury, St. Luke's, Middlesex, bookseller, Nov. 1 at half-past 11, Court of Bankruptcy, London, div.—

Ezekiel Julian and *John Julian*, New Buckenham, Norfolk, grocers, Nov. 2 at 12, Court of Bankruptcy, London, div.—*John Whitwell*, Mark-lane, London, corn factor, Nov. 4 at 1, Court of Bankruptcy, London, div.—*James Goldie*, High-street, Whitechapel, Middlesex, distiller, Nov. 5 at 1, Court of Bankruptcy, London, div.—*James Woods*, Conduit-street, Bond-street, Middlesex, tailor, Nov. 5 at 12, Court of Bankruptcy, London, div.—*Joseph Melford*, Bath, wine merchant, Nov. 14 at 11, District Court of Bankruptcy, Bristol, div.—*Henry Hollis*, Liverpool, tea dealer, Nov. 4 at 11, District Court of Bankruptcy, Liverpool, div.—*George Rogers*, Compstall-bridge, Cheshire, grocer, Nov. 1 at 11, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James Henry Gill, Plumber's-row, City-road, Middlesex, grocer, Nov. 4 at 11, Court of Bankruptcy, London.—*William Claridge*, Broomley St. Leonard, Middlesex, butcher, Nov. 4 at half-past 11, Court of Bankruptcy, London.—*Edw. Foster*, Chesterton, Cambridgeshire, agricultural machinist, Nov. 4 at half-past 1, Court of Bankruptcy, London.—*Robert Thompson*, Hope-terrace, Notting-hill, Middlesex, builder, Nov. 4 at 12, Court of Bankruptcy, London.—*James Urry*, Portsea, Hampshire, brewer, Nov. 5 at 1, Court of Bankruptcy, London.—*Richard Dean*, Church-street, Trinity-square, Southwark, Surrey, builder, Nov. 5 at 11, Court of Bankruptcy, London.—*Daniel Turtton Johnson*, *Henry Hilditch Johnson*, and *George Hilditch Johnson*, Aldermay-churchyard, Watling-street, London, wholesale tea dealers, Nov. 5 at 11, Court of Bankruptcy, London.—*John Winn*, Charlotte-street, Blackfriars-road, Surrey, gasfitter, Nov. 2 at 1, Court of Bankruptcy, London.—*Neville Browne*, Sibson-green, Hounslow-heath, Middlesex, licensed victualler, Nov. 2 at 2, Court of Bankruptcy, London.—*John Gale Peasegood*, Sheffield, Yorkshire, draper, Nov. 2 at half-past 11, Court of Bankruptcy, London.—*Jane Thomas*, widow, Brynmawr, Breconshire, grocer, Nov. 6 at 11, District Court of Bankruptcy, Bristol.—*William Thompson*, Morpeth, Northumberland, spirit merchant, Nov. 5 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.

To be granted, unless an Appeal be duly entered.

John King, East Stonehouse, Devonshire, builder.—*J. H. Clegg*, Royton, Lancashire, cotton spinner.—*Thomas William Spencer*, Devonport, Devonshire, draper.—*Elias Brimcom*, Tiverton, Devonshire, grocer.

SCOTCH SEQUESTRATIONS.

• *Hector Mc Donald*, Greenock, mason.—*Kipting & Beldon*, Craig-bank, New Cumnock, Ayrshire, contractors.—*David Robertson*, Glasgow, pianoforte maker.—*Donald Ross*, jun., Helmsdale, merchant.—*Margaret Melville* or *Ballock*, widow, Middlefield, near Falkirk, farmer.—*James Macdonald*, Glasgow, commission agent.—*James Dunipace*, Blantyre, wood merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Henry Lonsdale, Bristol, agent to a brewer, Nov. 27 at 11, County Court of Gloucestershire, at Bristol.—*Geo. Gallop*, Bristol, waterman, Dec. 4 at 11, County Court of Gloucestershire, at Bristol.—*Robert Nevins*, Aston, near Birmingham, pattern maker, Oct. 26 at 11, County Court of Warwickshire, at Birmingham.—*Wm. Lacey*, Birmingham, glass cutter, Oct. 26 at 11, County Court of Warwickshire, at Birmingham.—*Geo. Hemming*, Harborne, near Birmingham, commission agent, Oct. 26 at 11, County Court of Warwickshire, at Birmingham.—*John Horrocks*, Birmingham, out of business, Oct. 26 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Hart*, Birmingham, out of business, Oct. 5 at 11, County Court of Warwickshire, at Birmingham.—*David Knight*, Birmingham, cooper, Oct. 26 at 11, County Court of Warwickshire, at Birmingham.—*Henry Ford*, Birmingham, pearl ornament maker, Oct. 26 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Judge*, Birmingham, carpenter, Oct. 26 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Partridge*, Birmingham, wet nail manufacturer, Oct. 26 at 11, County Court of War-

wickshire, at Birmingham.—*Thos. Siddle*, Wakefield, Yorkshire, shoemaker, Oct. 26 at 10, County Court of Yorkshire, at Wakefield.—*John Osborne*, Stansted Mountfitchet, Essex, hairdresser, Nov. 12 at 12, County Court of Hertfordshire, at Bishop's Stortford.—*Wm. Blandy*, Bisham, Berkshire, gardener, Oct. 23 at 11, County Court of Buckinghamshire, at High Wycombe.—*T. Hassall*, Stansted Mountfitchet, Essex, shoemaker, Oct. 15 at half-past 11, County Court of Hertfordshire, at Bishop's Stortford.—*Henry Davis Walford*, Bridgwater, Somersetshire, master mariner, Oct. 21 at 9, County Court of Somersetshire, at Bridgwater.—*James Wm. Slater*, Oxford, in no business, Oct. 28 at 2, County Court of Oxfordshire, at Oxford.—*Edward Glover*, Birmingham, military ornament maker, Oct. 26 at 11, County Court of Warwickshire, at Birmingham.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Benj. Carvoso, Seacombe, near Liverpool, out of business, No. 72,801; *George Shepherd*, assignee.—*Jas. Ogden*, Manchester, commission agent, No. 72,829; *Thomas Sleddon*, assignee.—*Edward Daniel*, Liverpool, out of business, No. 72,915; *George Seward*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Oct. 25 at 11.

Henry S. Beecham, Liverpool, commercial traveller.—*John Schofield*, Wolstenholme Fold, near Roohdale, farmer.—*H. Mason*, Chorlton-upon-Medlock, Manchester, beer-seller.—*H. Hime*, Liverpool, attorney at law.—*John Windley*, Liverpool, lodging-house keeper.—*Daniel Connell*, Liverpool, tide waiter in her Majesty's Customs.—*Wm. Preston*, Manchester, out of business.—*Robert Hodgson*, Manchester, auctioneer.—*R. Cawood*, Manchester, auctioneer.—*Joshua Dineley*, Lancaster, attorney at law.—*Robert Tinsley*, Salford, out of business.—*Daniel Massey*, Salford, milk-seller.—*John Rowell*, Burnley, shoemaker.—*Edward Worsey*, Liverpool, out of employment.—*A. Ritchie*, Manchester, baker.—*George Gambier*, Salford, out of business.—*C. D. Balbernie*, Liverpool, out of employment.—*Samuel Wagstaff*, Treals, near Kirkham, out of business.—*Richard Smith*, Liverpool, assistant to a oom miller.—*John Townsend*, Manchester, beer-house keeper.

At the County Court of Yorkshire, at YORK CASTLE, Oct. 26 at 10.

G. C. Pickles, Scholes, near Leeds, out of business.—*R. Procter* the younger, Skipton-in-Craven, saddler.—*William Cartledge*, Middle Heeley, near Sheffield, scythe grinder.—*Robert Hargreaves*, Frising-hall, near Bradford, farmer.—*B. Smithies*, Bradford, woollorter.—*J. Mollison*, Leeds, white-smith.—*Wm. Morley*, Bilton-with-Harrogate, near Knaresborough, porter dealer.—*William Smith*, Addingham, near Skipton, agent.—*Samuel Ramsden*, Leeds, out of business.—*Hannah Dean*, Padesley Far-town, near Leeds, out of business.

At the County Court of Kent, at CANTERBURY, Oct. 28.
John Shepherd, Canterbury, out of business.

At the County Court of Brecknockshire, at BRECKNOCK, Nov. 8 at 10.

Ann Chief, Llangunnider, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, Nov. 11 at 10.

John Horridge, Cheltenham, of no profession.

At the County Court of Cheshire, at CHESTER CASTLE, Oct. 28.

Thomas Turner, Shavington-cum-Gresty, near Nantwich, attorney.—*Joseph Raphael*, Chester, dealer in cigars.—*Wm. Earl*, Chester, in no business.—*Wm. Broad*, New Brighton, out of business.—*Jonas Harrop*, Sutton, near Macclesfield, out of business.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—*Loftus Tottenham Wigram*, M. A., for the University of Cambridge, in the room of the Hon. Charles Ewan Law, deceased.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following Gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—Richard Baynes Armstrong, of Staple-inn, Holborn, Middlesex, in and for the city of London, also in and for the city and liberties of Westminster, and also in and for the counties of Middlesex, Essex, Kent, and Surrey; Abraham Greenwood Eastwood, of Stoney Royd, near Todmorden, Yorkshire, in and for the West Riding of the county of York, also in and for the county of Lancaster.

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Master of the Rolls Court	{ G. Y. ROBSON, Esq. of the Inner Temple, Barrister at Law.	Court of Exchequer . . .	{ W. M. BEST, Esq. of Gray's Inn, Barrister at Law.
Vice-Chancellor of England's Court	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	Ecclesiastical and Admiralty Courts	{ J. P. DEANE, D.C.L. of Doctors' Commons.
Vice-Chancellor Knight Bruce's Court	{ W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.	Cases in Bankruptcy . . .	{ W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Crown Cases Reserved. .	{ ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, OCTOBER 19, 1850.

THE Court of Exchequer has recently decided, in two cases, that a master is not liable to an action, at the suit of his servant, for injuries sustained in consequence of the negligence of a fellow-servant, while they are both acting in the master's service. The rule is, however, qualified to this extent, that unless the servant causing the injury be a person of ordinary skill and care, the master will be liable.

In both cases the actions were brought, under Lord Campbell's Act, (9 & 10 Vict. c. 93), by the representatives of the servants whose deaths had been occasioned by the negligence of their fellow-servants. In one *Tutchenison v. The York, Newcastle, and Berwick Railway Company*, 14 Jur., part 1, pp. 837, 840) the declaration stated that J. H. was in the service of the defendants, and that, in the discharge of his duty as such servant, he became a passenger upon the railway. The defendants, in a carriage drawn by an engine under the direction of the defendants' servants, and at another engine upon the same railway, under the direction of the defendants' servants, was so negligently driven as to come into collision with the said carriage, whereby J. H. was killed. The defendants pleaded, at the collision took place through the negligence of their servants, who were fit and competent persons; and the negligence was wholly unauthorised by the defendants, and was without their leave, licence, or knowledge. Upon special demurrer it was held, that no use of action was shewn upon the record.

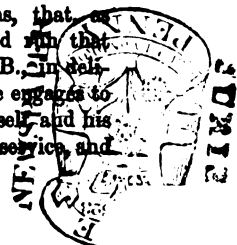
In the second case (*Wigmore v. Jay*, 14 Jur., part 1, p. 837, 838, 841) the defendant was a builder, employed to build a wing to the hall of the London University, and the deceased, who was at work there for him, was

killed by the fall of some scaffolding, which had been erected by persons of competent skill in the employment of his master. The action was held not to be maintainable. The Court recognised the authority of *Priestley v. Fowler*, (3 M. & W. 1), where the plaintiff was a servant of the defendant, and had sustained an injury by a fellow-servant having overloaded a van, in which the plaintiff was travelling, by the direction of the defendant, in discharge of his ordinary duties. The Court, after verdict for the plaintiff arrested the judgment, upon the ground that a master is not, in general, liable to one servant for damage resulting from the negligence of another.

It was admitted in all these cases, that if the party injured had been a stranger instead of a servant, he would have had a remedy against the master. The distinction is not at first sight obvious, inasmuch as the servant has no control over the employment of his fellow-servants; but this objection seems to be met by the qualification requiring the persons employed to be of ordinary skill and care. And when we consider the ground upon which the judgment of the Court proceeded, namely, upon the contract of hiring between the employer and the employed, the difference between such a case, and that of a stranger injured by the negligence of a servant, becomes at once apparent. The Court treated the risk of injury, arising from or connected with the employment, as a part of the service, and held that the servant must be supposed to have contracted on the terms, that, as between himself and his master, he would run that risk. "The principle is," said Alderson, B., in delivering judgment, "that a servant, when he engages to serve a master, undertakes, as between himself and his master, to run all the ordinary risks of the service, and

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this includes the risk of negligence upon the part of a fellow-servant, when he is acting in the discharge of his duty as servant of him who is the common master of both." But, as we have seen, the servant causing the injury must be a person of ordinary care and skill. "The servant, when he engages to run the risks of his service, including those arising from the negligence of fellow-servants, has a right to understand that the master has taken reasonable care to protect him from risk, by associating him only with persons of ordinary skill and care." And the master will not be exempt from responsibility to his servant for an injury occasioned to him by the act of another servant, where the servant injured was not at the time of the injury acting in the service of his master. "In such a case, the servant injured is substantially a stranger, and entitled to all the privileges he would have had if he had not been a servant."

The principle, therefore, to be deduced from these decisions is, that a master is not responsible to his servant for an injury sustained by such servant in consequence of the negligence of a fellow-servant, provided the servant injured was at the time acting in his master's service, and the servant causing the injury was a person of ordinary skill and care.

Correspondence.

TO THE EDITOR OF "THE JURIST."

Sir,—I observe in Mr. Tilley's edition of the new Stamp Act (13 & 14 Vict. c. 97) the following propositions:—

1st. "Notwithstanding the decisions that establish the general proposition, that a deed, when brought to be stamped, is chargeable with the duty then payable, and not that to which it was liable when made, all instruments executed by any party, or dated, before the 11th October, 1850, will be liable to the old, and not the new duties." (P. 3).

2nd. After stating the new terms imposed on parties applying to have instruments stamped after execution, (namely, a penalty of 10*l.* instead of 5*l.*, with interest on the duty unpaid, not exceeding the amount of principal), Mr. Tilley adds—"It is material to notice that this enactment takes effect immediately on the passing of the act, and has reference to instruments executed previously as well as subsequent thereto."

Now, Sir, I submit that both of these propositions are manifestly erroneous; and I observe the errors with more alarm, because they are important; and proceeding from a gentleman who fills the office of Assistant Solicitor of Inland Revenue, and who is known to be the executive mind of the department to which he belongs, they do not promise well for the soundness of the law to be administered in the new Court of Stamp Law which the recent act has erected at Somerset House.

Mr. Tilley's reason for the first proposition is, that the new act provides that the duties chargeable at the time of passing the act shall not be repealed in relation to any instrument signed, or executed, or bearing date on or before the 10th October, 1850. But that is merely a mode of stating the time when the act is to come into operation. The stat. 7 & 8 Vict. c. 21, repealed the then existing duty on certain agreements, and substituted a duty of 2*s.* 6*d.*, with an express exception of agreements previously executed; yet it was held, that an agreement executed without a stamp before the passing of the act, and afterwards stamped, on payment

of the penalty, with a stamp of 2*s.* 6*d.*, was sufficiently stamped. (*Deakin v. Penniell*, 2 Exch. 320).

As to the second proposition, it is sufficient to observe that the enactment only applies "where any deed or instrument liable to stamp-duty shall be written on vellum, parchment, or paper, and shall be signed or executed by any person before such vellum, parchment, or paper shall be duly stamped"—language which has never, within my experience, been held to be retrospective.

I am, Sir, your obedient servant,

ONERATEX.

[We conceive that our correspondent is quite right in his conclusions as to both points. The terms on which deeds may be stamped after execution are settled by acts of Parliament, which have received this construction—that the duty to be paid is the duty which would be by law payable on the deed if it were executed at the time when it is taken to be stamped. Whether the decisions are right or wrong is a point which Mr. Tilley can hardly mean to settle by his own dictum. The acts, so construed, govern the stamping of all instruments executed before the new act was passed. That act has provisions for the stamping of deeds, which may possibly receive a different construction, but those provisions are most unquestionably confined to instruments executed after the act passed.—Ed.]

PUBLIC GENERAL STATUTES.

13 & 14 VICTORIA.—SESSION 3.

(Continued from p. 377).

CAP. LXXXII.

An Act to extend the Remedies for the Collection of Grand Jury Cess in Ireland. [14th August, 1850.]

CAP. LXXXIII.

An Act to facilitate the Abandonment of Railways, and the Dissolution of Railway Companies, in certain Cases. [14th August, 1850.]

- Sect. 1. *Railway Company may make Application to Commissioners of Railways to be allowed to abandon their Undertaking.*
2. *Directors may call Meeting to consider such Application.*
3. *Shareholders may require Directors to call Meeting.*
4. *After Receipt of Requisition, Directors not to make any Payments, except under existing liabilities, nor to enter into new Contracts, nor to make new Calls.*
5. *Mode of calling Meeting, and signifying the Consent of the Shareholders to the Application.*
6. *The Number of the Shareholders assenting or dissenting to be ascertained by Scrutineers, and reported to the Chairman.*
7. *Chairman of the Meeting.*
8. *Meeting to elect Scrutineers.*
9. *Adjournment of Meeting on Application of Scrutineers.*
10. *Certificate of the Chairman to be Evidence.*
11. *Shareholders desiring Abandonment, and complaining that the Sense of the Company has not been fairly ascertained, may apply to the Commissioners.*
12. *If Meeting determine that Application shall be made, Directors not to proceed meanwhile.*
13. *Commissioners of Railways to direct Advertisement of Application.*
14. *Commissioners to have Power to inspect the Company's Books and other Documents, and to send as Officer for local Inspection.*
15. *Commissioners of Railways may by Warrant authorise the Abandonment of the Railway or Part of Railway described in the Warrant.*

16. *In considering Objections of Shareholders to partial Abandonment, Commissioners to have Regard to local Circumstances. Power to reduce or cancel the Shares of the Objectors in certain Cases.*
17. *Abandonment of Railway to be advertised, and Demands on the Company for Compensation to be sent in.*
18. *Commissioners of Railways to certify the due Publication of the Notice of the Warrant.*
19. *After the granting of Warrant the Company to be released from Liability to make the Railway.*
20. *Compensation to be made where Contracts have been entered into or Notice given.*
21. *Compensation to adjoining Landowners in lieu of Accommodation Works.*
22. *Where Roads have been carried across abandoned Lines of Railway by means of a Bridge or Tunnel, Company to make Compensation, in lieu of keeping Bridges, &c. in repair, except where the Road is restored to its former State.*
23. *Compensation to Trustees and Overseers of public Roads, how to be applied.*
24. *Application of Monies paid.*
25. *Amount of Compensation to be settled by Arbitration, pursuant to 8 & 9 Vict. c. 20, and 8 & 9 Vict. c. 33. Claims for Compensation to be made within six Months after Publication of Warrant for Abandonment.*
26. *Company to be still liable for Damage occasioned by their Entry on Lands for taking Levels, &c., pursuant to 8 & 9 Vict. c. 18, or 8 & 9 Vict. c. 19.*
27. *Lands purchased by the Railway Company to be sold within a limited Time.*
28. *Where Part of a Railway is authorised to be abandoned, the Commissioners may require the Capital to be reduced.*
29. *After Warrant for Abandonment of the whole Railway the Powers of the Company are to cease, except for winding-up.*
30. *Provisions of 11 & 12 Vict. c. 45, and 12 & 13 Vict. c. 108, to apply to Cases where Order of winding-up was made prior to passing of said Acts.*
31. *When Warrant has been granted for abandoning the whole Railway, Shareholders may petition for winding-up, under the 11 & 12 Vict. c. 45, notwithstanding anything in 12 & 13 Vict. c. 108.*
32. *Court of Session, upon Petition, may sequester any Railway Company for the Abandonment of which a Warrant has been granted.*
33. *Court of Session to establish Rules for Adjustment of Claims.*
34. *In Case of Petition for winding-up, Landowners are to be deemed Creditors in Respect of the Compensation given by this Act.*
35. *Act not to affect Actions or Suits commenced before 11th February, 1850.*
36. *Nothing herein to authorise Abandonment of any Railway agreed to be constructed, without Consent.*
37. *Commissioners to report to Parliament where Abandonment authorised by them.*
38. *Interpretation of Terms.*
39. *Short Title.*
40. *Act may be amended &c.*

Whereas divers joint-stock companies have been incorporated by act of Parliament for making railways, and it has been found that such railways, or certain parts thereof, cannot be made or carried on with advantage either to the promoters thereof or to the public, and it is expedient therefore that facilities should be given for the abandonment of such railways or parts of railways, and for the dissolution of such companies, or some of them, and winding-up the concerns thereof: be it therefore enacted, &c., that if any company authorised by act of Parliament heretofore passed to make a railway desire that the making and carrying on of such railway, or some part thereof, whether commenced or not, be abandoned, such company may, by the authority and with the consent of the holders of three-fifths of the shares or stock of such company, represented in manner hereinafter mentioned at a general meeting of shareholders to be convened in manner hereinafter mentioned, make application in writing to the Commissioners of Railways, setting forth the particulars of the railway or por-

tion of the railway desired to be abandoned by them, and the grounds upon which such application is made.

2. That it shall be lawful for the directors of any such railway company at any time to call a meeting of the shareholders thereof for the purpose of determining whether such application shall be made to the Commissioners of Railways, and so from time to time as they shall see fit.

3. That it shall be lawful for any number of shareholders of any such company, not being less than five, and holding in the aggregate not less than one-twentieth of the capital or stock of the company, consisting of shares or stock whereon all calls for the time being have been paid up, but exclusive of any shares or stock held by or in the names of the directors of the company, or any of them, or by or in the name of any person in trust for the directors or any of them, or for the company, and which shareholders shall have paid all the calls then due on the shares held by them, by writing under their hands to require the directors of such company to call a meeting for the purpose aforesaid; and upon the receipt of any such requisition such directors shall forthwith proceed to call a meeting of the shareholders of such company on a day to be named by them, not being less than fourteen nor more than twenty-eight days after the receipt of such requisition: provided always, on the default of the directors to call and advertise such meeting within fourteen days after the receipt of the requisition, it shall be lawful for the requisitionists to call such meeting themselves, at a time and place to be appointed by them, of which fourteen days' notice shall be given by them by advertisement as hereinafter provided: provided also, that when any meeting of any such company shall have been called pursuant to any such requisition as aforesaid, the directors of such company shall not be required to call any further meeting of such company upon any further requisition for the like object until twelve months shall have elapsed since the holding of such previous meeting.

4. That after any such meeting has been called by the directors, or after the receipt of any such requisition as aforesaid, it shall not be lawful for the directors to make any payments out of the monies of the company for the purposes of the railway proposed to be abandoned, except in discharge of bona fide debts or liabilities, or in performance of contracts or engagements previously entered into, and in payment of the expenses of calling and holding such meeting, nor to enter into any contracts or engagements on behalf of the company with respect to the railway so proposed to be abandoned, nor to make any calls, nor to register the transfer of any shares, until the meeting called as aforesaid shall have determined whether such application shall be made.

5. That the calling of any such meeting shall be by public advertisement in the manner required or usually adopted for advertising the extraordinary general meetings of such company, and where such meeting is called by the directors of the company a circular letter shall be sent by the post addressed to each of the registered shareholders of such company, according to his registered address or other known address, seven clear days at least before the holding of such meeting, and stating that a general meeting of the shareholders of such company will be held at a time and place mentioned in such circular, for the purpose of determining whether application shall be made to the Commissioners of Railways that such railway or the part thereof specified in such notice may be abandoned, and requesting such shareholder to signify his assent to or dissent therefrom, which may be according to a form to be contained in such circular letter, which form shall be to the effect set forth in the schedule hereto, and such circular letter shall request such shareholder either to return such form, signed by him, in a letter addressed to the secretary of such company, or to attend such general meeting as aforesaid, and deliver the same, so signed by him, to the chairman thereof; and in the case of every such meeting, whether called by the directors or by such requisitionists as aforesaid, the shareholders may signify their assent to or dissent from the proposed application, either by attending such meeting in person or by letter addressed to the secretary of the company, stating the assent or dissent of such shareholders, in a form which shall be to the effect of the form set forth in the schedule hereto, and signed by such shareholders respectively.

6. That at the meeting so to be called as aforesaid the scrutineers to be appointed as hereinafter mentioned shall cast up the amount of shares held by shareholders assenting to the

making of such application, and the amount of shares held by shareholders dissenting therefrom, whether such assent or dissent have been signified by the shareholder sending to the secretary of the company such form as aforesaid, signed by him, or by such shareholder attending such meeting, and delivering in the same to the chairman thereof, and such scrutineers shall report to the chairman the amount of shares of the shareholders assenting to such application, and the amount of the shares of those dissenting therefrom, and the said chairman shall thereupon publicly announce to the meeting the said amounts respectively, and shall state whether or not the holders of three-fifths of the whole of such shares represented in manner aforesaid at the meeting consent to such application: provided always, that in computing the amount of shares of the shareholders assenting or dissenting as aforesaid no share shall be taken into account the holder whereof shall not have been duly registered, or who shall not have paid all the calls then due by him upon all the shares held by him, unless such calls shall have been made within three months prior to the holding of such meeting, or if such meeting be held pursuant to a requisition of shareholders as hereinbefore provided, then three months prior to the day on which such requisition was presented to the directors.

7. That the chairman of the directors of such company, if present, or in his absence the deputy chairman, if any, of such directors, shall be the chairman of such meeting as aforesaid, or if neither such chairman nor deputy chairman of the directors be present, any shareholder chosen for that purpose by a majority of the shareholders present at the meeting shall be the chairman thereof.

8. That at every such meeting the shareholders present thereat shall elect three shareholders of the company to be scrutineers for the purposes aforesaid, and in electing such scrutineers each shareholder shall have one vote only, and shall vote for one scrutineer only; and the decision of such scrutineers, or of any two of them, upon any of the matters hereby intrusted to them, shall be final in all respects.

9. That for the purpose of receiving the report of the said scrutineers the chairman of such meeting may, if he think fit, on the application of any one of such scrutineers, and he shall, if required by more than one of such scrutineers, adjourn such meeting to some time to be appointed by him, not less than one clear day nor more than seven clear days from the day of holding such meeting.

10. That a certificate under the hand of the chairman of the meeting, stating that such meeting as aforesaid has been duly held, and such consent given as aforesaid in cases where the same is given, shall within one week after the day of holding such meeting be deposited in the office of the said Commissioners of Railways.

11. Provided always, and be it enacted, that if it appear to any of the shareholders of any such company who shall have signed any such requisition, or been present at any such meeting as aforesaid at which the proposal to apply to the said commissioners to authorise the abandonment of the whole or part of a railway shall have been negatived or alleged to be negatived, either that such meeting was not duly called, or that the sense thereof was not duly taken according to the true intent and meaning of this act, and that if such meeting had been duly called, and the sense thereof duly taken, the consent of such meeting to the proposed application would have been given, it shall be lawful for any such shareholders, not being less in number than five, and holding in the aggregate not less than one-twentieth of the capital or stock of the company, consisting of shares or stock whereon all calls for the time being have been paid up, and which shareholders shall have paid all the calls then due on the shares held by them, to apply to the said commissioners, setting forth in writing the grounds on which they complain of the decision alleged to have been come to at such meeting as aforesaid, and praying that a further meeting may be called, and if it appear to the said commissioners (after hearing the parties complained of, if they desire to be heard) that there is good reason to believe that if such meeting had been duly called, and the sense thereof duly taken, the consent of such meeting to the proposed application to the said commissioners would have been given, the said commissioners shall certify their judgment to that effect, and shall direct a further meeting to be called by the directors of such company at the time and place to be appointed by the said commissioners, and the said directors shall call such

meeting accordingly, or in default thereof it shall be lawful for the shareholders who complained to the said commissioners of the proceedings of the former meeting to call such meeting, and all the provisions of this act shall apply to any further meeting so directed to be called in like manner as to any original meeting hereinbefore authorised or required to be called.

12. That if at any such meeting any railway company shall determine, as hereinbefore mentioned, that such application as aforesaid shall be made, or if the said commissioners shall certify as aforesaid their judgment, that if such meeting had been duly called and the sense thereof duly taken the consent of such meeting to the proposed application to the said commissioners would have been given, then, as from the date of the resolution so come to at such meeting, or the date of the said certificate, as the case may be, the directors of such company shall not have power to proceed any further with the making of the railway, or the part thereof so proposed to be abandoned, until the decision of the Commissioners of Railways with respect to such application be made, and then only in accordance with such decision.

13. That if it appear to the said commissioners that there are sufficient grounds for entertaining such application, the said commissioners shall require and direct the company making the same to give notice of such application having been made, by advertisement inserted, in a form to be approved of by the said commissioners, once in the London, Edinburgh, or Dublin Gazette, according as the railway or part of the railway proposed to be abandoned is situate in England, Scotland, or Ireland, and once in each of three successive weeks in some newspaper published or circulated in each county in which any part proposed to be abandoned of such railway is situated, and affixed for three successive Sundays on the principal outer door of the church or churches of every parish in which any part of such railway where the whole is proposed to be abandoned, or in which any part proposed to be abandoned, is situate, and in Ireland such notice shall also be affixed to the Roman Catholic Chapel, and where there shall be no such church or chapel on some public or conspicuous place of such parish; and every such notice shall set forth within what time and in what manner any person who thinks himself aggrieved by any such proposed abandonment, and who desires to object thereto, may bring such objection before the commissioners.

14. That, for the purpose of ascertaining the state and condition of the company making any such application, and of inquiring into the expediency of the proposed abandonment of railway, and of determining the terms and conditions on which the same may be authorised by them, it shall be lawful for the Commissioners of Railways, by themselves or by any officer appointed and specially empowered by them for that purpose, to inspect the books of accounts, minutes of proceedings, or any other books, papers, or documents in the possession or control of such company, and also, if they see fit so to do, to send, at the expense of such railway company, or at the expense of any person who applies to them for that purpose, an officer to be appointed by them to inspect the railway or proposed railway or work so proposed to be abandoned, and to collect evidence on the spot relative to such abandonment; and if any such company, or any of their officers or servants, shall refuse such inspection by the said commissioners, or any officer appointed and specially empowered by them for that purpose, or refuse or wilfully neglect to produce to the said commissioners or any such officer, on demand, any books, papers, or documents in the possession or control of such company, every such company shall for every such refusal or neglect forfeit to her Majesty the sum of 20*l.*, and a further sum of 5*l.* for every day during which such refusal or wilful neglect shall be continued.

15. That upon proof to the satisfaction of the said commissioners that such notice has been duly given, and after the expiration of the time therein appointed for bringing objections before the said commissioners, and after considering all the objections, if any, brought before them, the said commissioners may, if they think fit, and upon such terms and conditions as they think fit, by warrant under their seal, and signed by two or more of the said commissioners, authorise the abandonment of the railway or portion of railway described in such warrant.

16. Provided always, and be it enacted, that in considering the objections which may be made by any of the shareholders of any railway company to the proposed abandonment:

of a part only of the railway of such company, and in determining the terms and conditions on which the said commissioners may think fit to authorise any such partial abandonment, the said commissioners shall have regard to the local situation of the lands and residences of the shareholders so objecting with reference to the portion of railway proposed to be abandoned; and in the case of any such shareholders being original subscribers to the undertaking, and not being solicitors, agents, or engineers employed in promoting the same, and whose places of residence or lands are adjoining or near the line of the portion of railway so proposed to be abandoned, it shall be lawful for the said commissioners, if they think fit to do so, in any direction which (under the provision hereinafter contained) they may give for reducing the capital of the company authorised to construct such railway, to provide, at the request of any such last-mentioned shareholders, that the nominal amount of the shares held by them in such company may be reduced to the amount then already paid up by them respectively, or to such other extent as the said commissioners may think fit to order in that behalf, or the said commissioners may, at the like request, direct any such shares to be cancelled, and a part of the monies that may have been paid up in respect of such shares, bearing such proportion to the whole as the said commissioners having regard to all the circumstances of the case shall think fit to determine, to be repaid to such shareholders.

17. That within one month after the day on which any such warrant as aforesaid is granted by the said commissioners the railway company to which the same applies shall cause notice thereof to be inserted in the London, Edinburgh, or Dublin Gazette, according as the railway or part of railway mentioned therein is situate in England, Scotland, or Ireland, and once in each of three successive weeks in some newspaper published or circulating in each county in which any part of such abandoned railway is situate, and to be affixed for three successive Sundays on the principal outer door of the church or churches of every parish in which any such part of such railway is situate, and in Ireland such notice shall also be affixed to the Roman Catholic chapel, and where there shall be no such church or chapel, on some public or conspicuous place of such parish; and every such notice shall require all persons having any claims or demands upon the said company for compensation or otherwise, by reason of the abandonment of railway authorised by such warrant, to transmit the statement of such claims or demands to the secretary of such company, at the office or usual place of business of the same company, within four months from the date of such warrant.

18. That, upon proof to the satisfaction of the said commissioners that notice of such warrant has been duly published in manner hereinbefore required, the said commissioners shall certify the same accordingly; and such certificate shall be received in all courts of justice or elsewhere as evidence that such notice was duly published as aforesaid.

19. That after the granting of any such warrant, and the publication of such notice thereof as aforesaid, the company shall (subject to the provisions hereinafter contained) be released from all liability to make, maintain, or work the railway mentioned in such warrant, or the part thereof thereby authorised to be abandoned, or to purchase any of the lands required for the making thereof, or to complete the purchase of any such lands for the purchase of which notice may have been given, or any contract entered into, by or on behalf of the company, or to complete any contract for or concerning the making, maintaining, or working of the railway so to be abandoned, or any other contract relating to the railway or part of railway so authorised to be abandoned which by reason of such abandonment cannot be performed: provided always, that nothing in this act contained shall extend to release the company from any liability to complete the purchase of any land or the purchase of which any contract may have been entered into by or on behalf of the company, and which contract may have been in part performed, or by virtue or in pursuance of which a specified sum or price as the consideration for the purchase of the lands thereby agreed to be sold to or taken by the company shall have been fixed or ascertained previously to the passing of this act, notwithstanding the time for the completion of the purchase named in such contract shall have been subsequently extended by agreement or arrangement with the company.

20. Provided always, and be it enacted, that in every case in which before the granting of any such warrant any notice hath been given or contract entered into by or on behalf of the company named therein for purchasing any lands which such company were by the acts relating thereto empowered to purchase for the purpose of constructing the railway or portion of railway so authorised to be abandoned, and from which contract such company would be relieved under the provisions hereinbefore contained, or where any contract hath been entered into for or concerning the constructing, maintaining, or working of the railway or part of railway so authorised to be abandoned, or any other contract relating thereto, which by reason of such abandonment cannot be performed, the company shall make to the owners or occupiers of and other parties interested in such lands, or being parties to such contracts as aforesaid, compensation, to be determined by arbitration as hereinafter mentioned, for all injury or damage, if any, sustained by such owners, occupiers, and other parties by reason of such purchase not being completed pursuant to such notice, or by reason of such contract not being performed.

21. That where any railway or part of a railway so authorised to be abandoned shall have been then made or commenced, such company shall make to the owners and occupiers of the lands adjoining the railway or part of a railway so commenced or made, and authorised to be abandoned, compensation, to be determined by arbitration as hereinafter mentioned, for all such injury or damage, if any, as shall be sustained by such owners or occupiers by reason of the omission to make gates, passages, drains, watercourses, bridges, and such other works, for the accommodation of lands adjoining the railway, as such company would have been required to make if such railway had not been allowed to be abandoned.

22. That where the line of any railway so authorised to be abandoned shall have been wholly or partially laid out, and any road shall have been carried across such line of railway by means of a bridge or tunnel over or under such railway, which bridge or tunnel the company to whom such railway belonged would, in case the same had not been abandoned, have been liable to keep in repair, then in every such case, except where such bridge or tunnel shall, with the permission of the said commissioners, be by such company removed, and such road restored to the like or an equally convenient and good state as the same was in before it was interfered with by the makers of such railway, to the satisfaction (in case of difference between such company and the owner or persons having the management of such road) of the Commissioners of Railways, such company shall pay to the owner of such road, if it be a private road, or to the trustees, surveyors of highways, or other persons having the management of such road, if it be a turnpike or other public road, a sum of money, to be determined by arbitration as after mentioned, in lieu and discharge of their liability to keep such bridge or tunnel, and also the roadway over the same, in repair.

23. That every sum so to be paid as last aforesaid to such trustees, surveyors, or other persons as aforesaid shall be by them forthwith paid over to the treasurer of the county where the bridge or tunnel in respect of which such sum was paid is situate, and shall be by him invested in Consolidated Bank Annuities or other public securities, and the dividends or income thereof shall, until Parliament shall otherwise provide, be applied in the maintenance of the bridge or tunnel in respect whereof the same was paid, in such manner as the justices in quarter sessions having jurisdiction where such bridge or tunnel is situate shall order.

24. That every sum so to be paid as last aforesaid in Scotland to such trustees or other persons as aforesaid shall be by them paid into the Bank, and the interest to arise thereon shall, until Parliament shall otherwise provide, be applied in the maintenance of the bridge or tunnel in respect whereof the same was paid, in such manner as the sheriff of the county in which such bridge or tunnel is situate, in case of any difficulty arising, shall direct.

25. That the amount of the compensation so to be made in the several cases aforesaid shall be determined, in case of difference, by arbitration, in the manner provided by the Railways Clauses Consolidation Act, 1845, or the Railways Clauses Consolidation Act, (Scotland), 1845, as the case may require, and for that purpose all the clauses of the said Railways Clauses Consolidation Acts with respect to the settlement of disputes by arbitration shall be deemed to be incorporated

with this act: provided always, that no such railway company shall be liable to make any compensation in respect of damage alleged to have been sustained by reason of the abandonment of the railway or part of the railway, or the non-completion of any contract of such company in any of the cases aforesaid, unless the claim for such compensation shall have been made within six months after the publication in the Gazette of the notice of the warrant for such abandonment as hereinbefore provided.

26. Provided also, and be it enacted, that the authority so as aforesaid given for abandoning the making of any such railway or part of a railway shall not prejudice or affect the right of the owner or occupier of any lands to receive from such company compensation for any damage that may have been occasioned by the entry of such company upon such lands, for the purpose of surveying and taking levels, and of probing or boring to ascertain the nature of the soil, or of setting out the line of the railway, pursuant to the provisions for that purpose in the Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Act, (Scotland), 1845, contained.

27. That all the lands acquired by such company for the purposes of the railway or part of railway so authorised to be abandoned shall be sold by such company within the time limited or prescribed for that purpose in the warrant authorising the abandonment of such railway, and if no time be therein prescribed for that purpose, then within two years from the date of such warrant, in the manner prescribed by the said Lands Clauses Consolidation Acts with respect to the sale of superfluous lands; and for that purpose all the clauses of the said last-mentioned acts with respect to the lands acquired by the promoters of the undertaking under the provisions of their special act, but which are not required for the purposes thereof, shall be deemed to be incorporated with this act: provided always, that the offer to be made by the railway company pursuant to the said acts to sell such lands to the person entitled to the lands from which the same were severed shall be made at a price or sum not greater than the price or sum at which such lands were purchased by such company.

28. That when the said Commissioners of Railways, by any such warrant as aforesaid, authorise the abandonment of a part only of the railway of any railway company, they may, if they think fit, require that the capital authorised to be raised by such company in respect of such railway shall be reduced to such extent and in such manner as the said commissioners think fit, and so that such reduction do not bear a greater proportion to the whole capital so authorised to be raised than the cost of the part of the railway so authorised to be abandoned would have borne to the cost of the whole railway; and they may also, if they think fit, in like manner reduce the amount which such company are authorised to borrow on mortgage or bond, and every such reduction shall be expressed in the said warrant; and in every such case the capital of such company, and their power of borrowing money, shall be reduced and limited in conformity with the directions for that purpose contained in such warrant; and such company shall have all the same powers for enforcing the payment of calls in respect of the shares in the capital when reduced in the manner required by the said commissioners, and for enforcing the forfeiture of any such shares in default of payment of such calls, as such company would have had in respect of the original capital of such company if this act had not been passed: provided always, that nothing herein contained shall authorise the said company to reduce or interfere with any amount of capital paid up or called for before the 11th day of February, 1850, and entitled to any preferential or guaranteed dividend or interest.

29. That after the granting of any such warrant as aforesaid for the abandonment of the whole railway of any railway company the powers of such company for the construction, maintenance, and management of such railway shall cease, and such company shall continue to exist only for the purpose of winding-up their affairs, and they shall accordingly, subject to the provisions herein contained with respect to the sale of lands acquired by such company for the purposes of their railway, proceed with all convenient speed to collect and to convert into money all their property and effects, and shall in the first place pay and satisfy all their debts and liabilities, and after full payment and satisfaction thereof shall distribute the surplus funds among the shareholders of the company in proportion to their shares and interests therein, and for the purposes aforesaid all the powers of such company shall continue in full force

and effect; and when and so soon as the same shall have been fully accomplished such company shall be dissolved, and cease to exist.

30. That, notwithstanding the provision in the Joint-stock Companies Winding-up Amendment Act, 1849, excepting railway companies incorporated by act of Parliament from the application of the Joint-stock Companies Winding-up Act, 1848, the said two several acts shall nevertheless apply to any railway company incorporated by act of Parliament in respect of which an order may have been made by the Court of Chancery for winding-up the affairs of such company previous to the passing of the said Joint-stock Companies Winding-up Amendment Act, 1849, and the proceedings for winding-up the same shall proceed and be carried on under the said Joint-stock Companies Winding-up Act, 1848, and the said Joint-stock Companies Winding-up Amendment Act, 1849, or either of them.

31. That where any such warrant as aforesaid shall have been granted for the abandonment of the whole railway of any railway company in England or Ireland, any shareholder of such company may present a petition under the Joint-stock Companies Winding-up Act, 1848, or any act for the amendment of such act, for the winding-up of the affairs of such company under the said act, and for that purpose the railway company whose railway is so authorised to be abandoned shall, if the Court shall think fit so to order, (notwithstanding anything to the contrary thereof in the said Joint-stock Companies Winding-up Act, or in the Joint-stock Companies Winding-up Amendment Act, 1849), be deemed to be a company to which the said act applies.

32. That where any such warrant as aforesaid shall have been granted for the abandonment of the whole railway of any railway company in Scotland, any shareholder of such company may present a petition to the Court of Session, praying the said Court to sequester such company, and it shall thereupon be lawful for the said Court to issue a deliverance awarding sequestration of such company, and to appoint a factor, who shall take possession of and recover the estate of such company, and realise and manage the same, for the purposes of this act, and for winding-up and distributing the same with due regard to the rights and interests of the creditors and shareholders, and of all others concerned therein.

33. That it shall be competent to the said Court to establish, by acts of sederunt to be passed by them, all such rules and regulations as may be necessary in relation to the summary statement, discussion, and adjudication of all claims at the instance of creditors, shareholders, and other parties against such company, and by such rules and regulations to apply, as far as may be practicable and expedient, towards the purposes of this act, the provisions of an act passed in the session of Parliament holden in the 2 & 3 Vict., [c. 41.] intitled "An Act for regulating the Sequestration of the Estates of Bankrupts in Scotland;" and it shall be competent to the said Court so also to establish all such other rules and regulations as may be necessary for carrying fully into effect the purposes of this act.

34. That in the event of the affairs of any such company being wound-up under any such petition, the compensation hereinbefore directed to be given to the owners and occupiers of lands and others in respect of the damage sustained by them by reason of such abandonment in the cases hereinbefore mentioned, or by reason of the non-completion of any such contract as aforesaid, or otherwise, shall be deemed a demand claimed from, and when ascertained in the manner provided by this act a debt due from, such company, and the party by whom such compensation is claimed shall be deemed a "creditor," in England or Ireland, within the provisions of the said Joint-stock Companies Winding-up Act, or, in Scotland, within the provisions of the said recited act of the second and third years of the reign of her present Majesty; and in case any lands purchased by such railway company shall be sold by the official manager under the said act, they shall be sold in the manner and subject to the provisions contained in this act.

35. Provided always, and be it enacted, that this act, or any proceeding thereunder, shall not prejudice or affect any action or suit or other proceeding at law or in equity commenced before the 11th day of February, 1850, or any action or suit brought in connexion with and during the dependence of and

involving the same matter with such action or suit, nor any action, suit, or other proceeding against a company which shall not have obtained a warrant authorising the abandonment of the railway or part of a railway in respect of which such action, suit, or other proceeding shall be instituted, unless such company shall, within three days after notice for that purpose from the party suing them, give such party notice of their intention to apply for such warrant, and shall obtain the same, and serve notice thereof on such party within three calendar months thereafter, but all such actions and suits and their proceedings shall be proceeded with, and judgments reversed, and rules, orders, and decrees made therein shall be enforced, as if this act had not been passed, save only that the same, after notice given by the company of their intention to abandon as aforesaid, shall be suspended for three calendar months, if the warrant be refused, or be not obtained within at time.

36. Provided always, and be it enacted, that nothing in this act contained shall extend or be construed to extend to authorise the abandonment by any company of any railway or portion of a railway, or other works, which such company has agreed under its corporate seal to make and construct, according to any agreement entered into either with any individual or with any other company, unless such individual or company shall consent in writing to such abandonment.

37. That in each case in which the said commissioners authorise the abandonment of the whole or a portion of a railway, they shall, within ten days after issuing their warrant for that purpose, if Parliament be then sitting, or if not, then as soon thereafter as Parliament meets, lay before both Houses of Parliament a copy of every such warrant, accompanied by such report and observations as shall in the judgment of such commissioners set forth and explain the reasons for their award and warrant in every such case as aforesaid.

38. That the following words and expressions in this act shall have the meanings hereby assigned to them, unless there is something in the subject or context repugnant to such construction; that is to say—

Words importing the singular number only shall include the plural number, and words importing the plural number only shall include also the singular number:

Words importing the masculine gender shall extend to females:

The word "person" shall include body corporate:

The word "lands" shall include messuages, tenements, and hereditaments:

The word "railway" shall include all works, buildings, and undertakings authorised to be constructed or carried on in connexion with the railway or belonging thereto:

The word "shares" shall include stock:

The word "month" shall mean calendar month.

39. That in citing this act in other acts of Parliament, and legal and other instruments and proceedings, it shall be sufficient to use the expression "The Abandonment of Railways Act, 1850."

40. That this act may be amended or repealed by any act to be passed in the present session of Parliament.

SCHEDULE referred to by the foregoing act:—

(1). Name of railway.	(1). Name of Shareholder.	(1). No. and Amount of Shares or Stock held by him.	(2). Whether as- senting or dissenting.

1. The secretary will insert these particulars.

2. In this column the shareholder will write the word "assenting" or "dissenting," as the case may be, and sign same thereunder.

CAP. LXXXIV.

An Act to enable the Council of the Borough of Manchester to determine their Liability to defray the Expenses of Customs in Respect of Goods warehoused in the said Borough, and to authorise the Commissioners of her Majesty's Treasury to direct the Discontinuance of the further warehousing of Goods in such Warehouses without Payment of Duty.
[14th August, 1850.]

CAP. LXXXV.

An Act to provide for holding the Assizes of certain Counties of Cities and Towns in Ireland in the Assize Towns of the adjoining Counties at large in certain Cases; and to make Provision as to Gaols in Case of the Change of Assize Towns.
[14th August, 1850.]

CAP. LXXXVI.

An Act for the Erection on the Earthen Mound in the City of Edinburgh of Buildings for a National Gallery, and other Purposes connected therewith and with the Promotion of the Fine Arts in Scotland.
[14th August, 1850.]

CAP. LXXXVII.

An Act for Payment of a Moiety of certain Penalties towards Police Superannuation Funds.
[14th August, 1850.]

CAP. LXXXVIII.

An Act to amend the Law relating to Engines used in the Rivers and on the Sea Coasts of Ireland for the taking of Fish.
[14th August, 1850.]

CAP. LXXXIX.

An Act to regulate the Proceedings in the High Court of Chancery in Ireland.
[14th August, 1850.]

Sect. 1. Suits may be instituted in the Court of Chancery in Ireland by petition in all cases.

2. Court to have same jurisdiction on petition and order to have same authority as in a suit.

3. Proviso. Court may direct a suit to be instituted.

4. Persons objecting to proceedings under the act may apply for order that a suit be prosecuted in the ordinary way at the peril of costs.

5. Verification of petition.

6. Petitioners may annex interrogatories to their petition.

7. Respondents may file interrogatories, to be answered by petitioners.

8. Interrogatories not to be filed except by leave of the Court.

9. Practice as to answering the interrogatories to be same as on bill and subpoena.

10. Petitions to be heard before the Lord Chancellor as causes are now heard, and petitions and affidavits to be filed in Rolls office and entered in a book. Table of fees to be settled, and fees to be paid over to the Suits Fee Fund.

11. Power to petition for opinion of Court upon special case.

12. The Court or Master may in all suits direct evidence to be taken *vivâ voce* or by affidavit, as well as on interrogatories.

13. In taking accounts the Master may direct books of account that have been kept to be *prima facie* evidence.

14. In taking accounts for administration of estate, executors, &c. may prove debts.

15. Certain classes of petitions may be referred summarily to Master.

16. Master to proceed on the petition referred to him, and to have with respect thereto the same jurisdiction as might have been exercised by the Court in a suit.

17. State of facts may be dispensed with, and Master to regulate proceedings.

18. Master's orders to take effect as orders of Court.

19. Master may make special reports or orders, subject to confirmation.

20. Service to be made as the Court or Master shall direct.

21. Power to Master to appoint guardians to infants for the purpose of proceedings under the act.

22. After reference to Master of petition with respect to administration, or after decree, no creditor to sue without Master's leave.

23. Where suit instituted, previous proceedings before Master to be valid.
24. In case of illness, &c. of a Master another Master may act.
25. Payment, taxation, and recovery of costs in proceedings before the Master.
26. Masters within six months to make rules for procedure under the act.
27. Petition may be presented to the Court for partial relief, &c.
28. Two or more proceedings may be consolidated.
29. Mode of continuing proceedings on transmission of interest of parties.
30. Appeal from the Master's orders and orders on petition to be upon motion; rehearings and appeals to the House of Lords to be within a limited time.
31. Lord Chancellor to make orders for carrying the act into effect, and extending its scope.
32. Rules and orders to be laid before the Houses of Parliament, and to be binding, unless objected to by vote of either House.
33. The Master of the Rolls empowered to appoint a secretary with a salary.
34. The Lord Chancellor's secretary and the Masters' clerks and examiners to be paid by a salary in lieu of fees.
35. The clerks and examiners of Masters and assistant clerks to hold office during good behaviour, and to be paid by salary in lieu of fees. Salary of assistant clerk to be in lieu of salary payable under 6 Geo. 4, c. 30.
36. The salaries to be paid quarterly.
37. The Lord Chancellor's secretary and the clerks and examiners to pay over to the Sutors Fee Fund, monthly, all fees received by them.
38. Providing retiring allowances to officers of the Court of Chancery.
39. Allowances to clerk and examiner on retirement from their offices.
40. Abatement to be made from the salaries of clerks and officers of the Court entitled to superannuation allowances.
41. Compensation for diminution of emoluments to be made to officers out of the Sutors Fund.
42. Petition to be a *lis pendens* within the meaning of 7 & 8 Vict. c. 90.
43. Short title of act.
44. Interpretation of act.

CAP. XC.

An Act to confirm certain Provisional Orders of the General Board of Health, and for certain other Purposes in Relation to the Public Health Act, 1848. [14th August, 1850.]

CAP. XCI.

An Act to authorise Justices of any Borough having a separate Gaol to commit Assize Prisoners to such Gaol, and to extend the Jurisdiction of Borough Justices to all Offences and Matters arising within the Borough for which they act. [14th August, 1850.]

- Sect. 1. Prisoners may be committed to Borough Gaols for Trial at the Assizes.
2. Nothing to authorise Justices to commit Persons charged with Murder to any other than the County Gaol. As to Expenses incurred in Maintenance of last-mentioned Prisoners.
3. Prisoners committed to Borough Gaols to be removed to County Gaol previous to Trial.
4. Prisoners whilst under Removal to be deemed to be in proper legal Custody.
5. Expenses of Prisoners removed to County Gaols to be calculated as provided by 5 & 6 Vict. c. 98.
6. Account of Expenses to be made out and signed by Clerk of Justices, and sent to Town-clerk of Borough.
7. In Cases of Conviction for Offences committed within Limits of any City, &c., Court may commit Offender to Borough Gaol. In Case of Commitment of Persons.
8. Provisions as to Removal before Trial to apply to Removal after Conviction.

9. Borough Justices to have the same Jurisdiction as County Justices under any local Act as to Offences committed within the Borough.

10. Interpretation of Terms.
11. Extent of Act.
12. Act may be amended &c.

Whereas great inconvenience and expense have been found to result to cities and boroughs having or providing and maintaining at their own cost gaols or houses of correction, from the necessity of committing to the common gaol of the county in which such city or borough may be situated for trial at the assizes holden for such county persons charged with offences committed within the limits of such city or borough, and it is expedient that the law should be altered and amended; and whereas it is also expedient that justices of the peace acting for any city or borough should have the same powers and authorities in all respects with regard to offences committed and matters arising within the limits of such city or borough as justices of the peace for the county within which such city or borough is situated now have with regard to such offences or matters under or by virtue of any local or general act of Parliament: be it therefore enacted, &c., that from and after the passing of this act it shall be lawful for any justice of the peace acting for any city or borough now having or providing and maintaining at its own cost, or which shall hereafter have or provide and maintain at its own cost, a gaol or house of correction, to commit for safe custody to such gaol or house of correction, for trial at the assizes to be holden for the county in which such city or borough may be situated, any person charged before him with any offence except murder, committed within the limits of such city or borough triable at such assizes, and the commitment shall specify that such person is committed under the authority of this act, and whenever any such person shall be committed to any such gaol or house of correction for trial at such assizes the keeper of such gaol or house of correction shall deliver to the judges of assize a calendar of all prisoners in his custody for trial at such assizes, in the same way that the sheriff of the county would be by law required to do if such prisoners had been committed to the common gaol of the county in which such city or borough may be situated; and the justice or justices by whom any person charged as aforesaid shall be committed shall deliver or cause to be delivered to the proper officer of the court the several recognisances, informations, depositions, and statements relative to such person at the time and in the manner that would be required in case such person had been committed to such county gaol.

2. Provided always, and be it enacted, that nothing herein contained shall be construed to give any justice of the peace acting for any city or borough power to commit persons charged with murder to the gaol or house of correction of any city or borough for trial at the assizes to be holden for the county in which such city or borough may be situated, but such justices shall and they are hereby authorised and required to commit all such persons to the common gaol of such county for trial in such and the same manner as if this act had not passed: provided also, that the expenses properly incurred by such county in the maintenance, safe custody, and care of such last-mentioned prisoners so committed whilst in custody in such county gaol shall be borne and paid by such city or borough in the manner hereinafter provided with respect to prisoners removed to the county gaol for trial at the assizes.

3. That all persons who may under the authority of this act be committed to the gaol or house of correction of any city or borough for trial at the assizes to be holden for the county in which such city or borough may be situated shall in due time be removed by the gaoler or keeper of such gaol or house of correction, with their commitments and detainers, to the common gaol of the county, in order that they may be tried at the assizes to be holden for such county, and such removal shall not be deemed or taken to be an escape.

4. That every prisoner so removed shall for and during the time of such removal, and also for and during such time as he shall be detained in the county gaol, be to all intents and purposes deemed and considered to be in the proper legal custody, notwithstanding he may in effecting such removal have been taken out of the jurisdiction of the city or borough to the gaol or house of correction of which he may have been originally committed into any other jurisdiction, or out of the county in which such gaol or house of correction may be situated into or through any other county or division of a county: and as

action or other proceeding shall or may be maintained by such prisoner or by any other person against the gaoler or keeper of the gaol or house of correction of any city or borough, or against the gaoler or keeper of the common gaol of the county, by reason or in consequence of such prisoner having been taken out of the jurisdiction of such city or borough into any other jurisdiction, or out of the county in which such city or borough may be situated into or through any other county or division of a county.

5. That the expenses which shall be incurred by such county in the maintenance, safe custody, and care of every prisoner so removed whilst in custody in such county gaol, shall be calculated upon the same principle and in the same manner as provided by an act passed in the 5 & 6 Vict., [c. 98.] intitled "An Act to amend the Laws concerning Prisons," with respect to borough prisoners committed to a county prison where no special contract is subsisting between such borough and county relative to such prisoners; and such expenses, and all other expenses which may be incurred by such county in respect of every such prisoner, shall be paid by the council of such city or borough to the treasurer of such gaol or county; and the amount of all such expenses shall, in case of dispute, be settled by a barrister-at-law in the manner provided by the said act.

6. That an account in writing of the expenses due and payable, or claimed to be due and payable, in respect of the maintenance, safe custody, and care of such prisoners as aforesaid, shall be made out from time to time, and signed by the clerk to the visiting justices of the county gaol to which such prisoners shall have been committed, and delivered to the town-clerk of the city or borough within which the offences shall have been committed; and such account shall be conclusive against such city or borough, unless some objection shall be made in writing, and signed by the town-clerk of such city or borough, and delivered to the clerk of the said visiting justices, within one calendar month next after such account shall have been delivered to such town-clerk.

7. That whenever any person shall be convicted at any assizes of any offence committed within the limits of any city or borough having or providing and maintaining at its own cost a gaol or house of correction, for which offence such person shall be liable either to the punishment of transportation or imprisonment, it shall be lawful for the court, if it shall so think fit, to commit such person to such gaol or house of correction, in execution of his judgment; and in case of the commitment of any person either sentenced to transportation or pardoned for any capital offence on condition of transportation, all the powers, provisions, and authorities for the removal of offenders sentenced to transportation given or granted by any former act or acts of Parliament to sheriffs or gaolers shall be and the same are hereby extended and given to the gaoler or keeper of the gaol or house of correction in whose custody such offender shall be.

8. That all the provisions hereinbefore contained with reference to the removal of prisoners from any city or borough gaol to the county gaol for trial at the assizes shall be applicable and shall be applied to the removal from the county gaol to any city or borough gaol of any prisoner who, having been convicted at the assizes, shall be committed by the court to such gaol or house of correction, in execution of his judgment.

9. That after the passing of this act the justices of every city or borough shall have the same jurisdiction with respect to all offences committed and matters arising within such city or borough as the justices of the county in which such city or borough is situate now have under or by virtue of any local or general act of Parliament; and such offences and matters shall be cognisable by one or more of the justices of such city or borough in the same manner as such offences and matters are now cognisable by one or more of the justices of such county: provided always, that in every case in which imprisonment may be awarded for or in respect of any such offences or matters aforesaid, or to enforce payment of any penalty, rate, sum of money, or costs imposed or made payable by or by virtue of any such general or local act or otherwise, such imprisonment may be awarded to take place in any gaol or house of correction to which the justices of the said city or borough now have or hereafter may have power to commit offenders.

10. That throughout this act, where there shall be nothing in the subject or context repugnant to such construction, words importing the singular number only shall include the plural

number, and words importing the plural number only shall include the singular number, and words importing the masculine gender only shall include females.

11. That this act shall extend only to England and Wales.

12. That this act may be amended or repealed by any act to be passed in this present session of Parliament.

CAP. XCII.

An Act for the more effectual Prevention of Cruelty to Animals in Scotland. [14th August, 1850.]

CAP. XCIII.

An Act for improving the Condition of Masters, Mates, and Seamen, and maintaining Discipline in the Merchant Service. [14th August, 1850.]

CAP. XCIV.

An Act to amend the Acts relating to the Ecclesiastical Commissioners for England. [14th August, 1850.]

- Sect. 1. Appointment of Church Estates Commissioners.
2. Salaries to first Church Estates Commissioner and Commissioner appointed by archbishop.
3. First Church Estates Commissioner may sit in the House of Commons.
4. Church Estates Commissioners to sign declaration.
5. Treasurer and secretary not to be the same person.
- First Church Estates Commissioner and Commissioner appointed by archbishop to be joint treasurers.
6. Estates held in trust for the Ecclesiastical Commissioners to be vested in the first Church Estates Commissioner for the time being.
7. As to appointment of Estates Committee.
8. The Estates Committee to manage all property of the Commissioners.
9. Chairman of Estates Committee.
10. Two Church Estates Commissioners to be present at meetings of Ecclesiastical Commissioners.
11. Ecclesiastical Commissioners may make special references to Estates Committee or Commissioners.
12. Ecclesiastical Commissioners may make general rules for the direction of the Estates Committee.
13. So much of 6 & 7 Will. 4, c. 77, as provides who shall be chairman, repealed, and other regulations made.
14. As to the audit of accounts.
15. Episcopal fund to be transferred to the common fund.
16. Certain provisions of 5 & 6 Vict. c. 26, as to deficiency of incomes of bishops, repealed.
17. Fixed incomes may be secured to archbishops and bishops appointed after 1st January, 1848.
18. As to endowments of Deans of Salisbury and Wells.
19. Deans appointed after 10th April, 1850, not to hold any benefice not situated within the city or town, &c.
20. Commissioners may, by authority of 3 & 4 Vict. c. 113, and 4 & 5 Vict. c. 39, commute for any prebend annexed to a dignity or office.
21. Commuted lands, &c. to be subject to similar uses as lands vested under former acts.
22. Benefices annexed to sees of Gloucester and Bristol, Oxford, and Peterborough to be severed from the sees.
23. Owners of appropriation tithes may annex the same to the parsonage or vicarage.
24. Extension of the powers of 6 & 7 Will. 4, c. 77, s. 10, for abolishing peculiar or exempt jurisdictions.
25. Construction of 3 & 4 Vict. c. 113, s. 56, as to the transfer of estates of newly-endowed archdeacons to Commissioners.
26. Annual report to be made of all proceedings of the commission to one of her Majesty's principal Secretaries of State, and to be laid before Parliament.
27. Powers of 7 & 8 Vict. c. 94, s. 9, relating to the alteration of boundaries of districts, extended.
28. Powers, &c. of former acts extended to this act.
29. Act may be amended &c.

CAP. XCV.

An Act to amend the Laws relating to the Customs. [14th August, 1850.]

CAP. XCVI.

An Act to continue and amend the Acts for authorising a Composition for Assessed Taxes. [14th August, 1850.]

CAP. XCVII.

An Act to repeal certain Stamp-duties, and to grant others in Lieu thereof; and to amend the Laws relating to the Stamp-duties. [14th August, 1850.]

- Sect. 1. *Stamp-duties on Instruments specified in the annexed Schedule repealed, and other Duties granted in Lieu thereof.*
2. *Duties granted to be denominated Stamp-duties, and to be under the Care of the Commissioners of Inland Revenue. Powers and Provisions of former Acts to be in Force and be put in Execution with regard to the Duties hereby granted.*
 3. *Duties not to be charged on Deeds or Instruments expressly exempted from Stamp-duty by existing Acts.*
 4. *Duties imposed by 5 & 6 Vict. c. 82, and 9 & 10 Vict. c. 112, on certain Leases in Ireland repealed.*
 5. *For removing Doubts as to the Stamp-duties on certain Agreements for setting or demising Lands in Ireland.*
 6. *Preamble. Stamp-duties on a Bargain and Sale, and so much of said two Acts as is recited, repealed.*
 7. *Preamble. Additional Duty on a Conveyance by Feoffment or Bargain and Sale involved, repealed.*
 8. *All Persons receiving Monies for Stamp-duties, and misappropriating the same, to be liable for the Amount, and the Court of Exchequer to enforce Payment thereof.*
 9. *For removing Doubts as to the Duties upon Transfers of Mortgages.*
 10. *For affording Relief in certain Cases of Leases.*
 11. *For removing Doubts regarding progressive Duties. Progressive Duties not to be charged on Deeds or Instruments in Respect of other Deeds or Instruments duly stamped and referred to therein.*
 12. *Terms and Conditions on which Deeds, &c. may be stamped after the signing thereof. Commissioners of Inland Revenue authorized to remit the Penalty on stamping Deeds, &c. within twelve Months after the signing thereof. Not to extend to Instruments for the stamping of which after the signing thereof special Provision is made, or to Cases where the stamping is by Law prohibited.*
 13. *Commissioners may stamp Instruments executed Abroad, without any Penalty, on their being brought for that Purpose within two Months after their Arrival in the United Kingdom.*
 14. *For removing Doubts as to the Sufficiency of Stamp-duty paid on Deeds.*
 15. *Party dissatisfied with the Determination of the Commissioners as to the Stamp-duty chargeable may appeal to the Court of Exchequer, and the Duty shall be paid according to the Decision of the Court.*
 16. *Conveyances, Mortgages, and Settlements of Property under Contract or Obligation before 20th March, 1850, exempted from any increased ad valorem Duty.*
 17. *Deeds, &c. may be stamped either in London or Dublin.*
 18. *The Allowance on Receipt Stamps granted by 12 & 13 Vict. c. 80, repealed. Allowance of 7l. 10s. per Cent. granted.*
 19. *Reciting 55 Geo. 3, c. 101, as to Fire Insurances in Ireland; 6 & 7 Will. 4, c. 28, and 1 & 2 Vict. c. 61, as to Deposit of Stock. Fire Insurance Licenses in Ireland to be permanent. Security to be given for Payment of Duties. The Security to continue in Force so long as the Person to whom the License is granted or the Company shall continue to insure. The Security to be renewed.*
 20. *Construction of certain Terms used in Stamp Acts.*
 21. *Act may be amended &c.*

Whereas by an act passed in the 55 Geo. 3, [c. 184,] intitled "An Act for repealing the Stamp-duties on Deeds, Law Proceedings, and other written or printed Instruments, and the Duties on Fire Insurances, and on Legacies, and Successions to Personal Estate upon Intestacies, now payable in Great Britain, and for granting other Duties in Lieu thereof,"

certain stamp-duties specified and contained in a schedule to the said act annexed were granted and made payable in and throughout Great Britain, for and in respect of the several instruments, matters, and things described or mentioned in the said schedule: and whereas by an act passed in the 3 Geo. 4, [c. 117,] intitled "An Act to reduce the Stamp-duties on Reconveyances of Mortgages and in certain other Cases, and to amend an Act of the last Session of Parliament for removing Doubts as to the Amount of certain Stamp-duties in Great Britain and Ireland respectively," certain stamp-duties therein mentioned or referred to were repealed, and in lieu thereof certain other stamp-duties in the said last-recited act specified were granted and made payable in and throughout Great Britain and Ireland respectively: and whereas by an act passed in the 5 & 6 Vict., [c. 82,] intitled "An Act to assimilate the Stamp-duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same until the 10th Day of October, 1845," certain of the said stamp-duties granted by the said first-recited act were extended to and made payable in Ireland; and under and by virtue of the said three several acts, and also of two other acts passed respectively in the 8 & 9 Vict. [c. 2,] and 11 & 12 Vict. [c. 9,] for continuing the said last-recited act, the said stamp-duties are now payable in Great Britain and Ireland respectively: and whereas it is expedient to repeal certain of the said stamp-duties, so far as the same relate to the several instruments, matters, and things mentioned and described in the schedule to this act annexed, and to substitute in lieu thereof other rates of duties for and in respect of the same instruments, matters, and things: be it therefore enacted, &c., that from and after the 10th day of October, 1850, the several stamp-duties now payable in Great Britain and Ireland respectively, under or by virtue of the said several acts hereinbefore recited or referred to, or any of the said acts respectively, or any other act or acts, for or in respect of the several instruments, matters, and things described or mentioned in the said schedule to this act annexed, and whereon other duties are by this act granted and imposed, shall respectively cease and determine, and shall be and the same are hereby repealed, and in lieu and instead thereof there shall be granted, raised, levied, collected, and paid in and throughout the United Kingdom of Great Britain and Ireland, unto and for the use of her Majesty, her heirs and successors, for and in respect of the said several instruments, matters, and things, or for or in respect of the vellum, parchment, or paper upon which the same respectively shall be written, the several duties or sums of money set down in figures against the same respectively, or otherwise specified and set forth in the said last-mentioned schedule, and that the said last-mentioned schedule, and the several provisions, regulations, and directions therein contained with respect to the said duties, and the instruments, matters, and things charged therewith, shall be deemed and taken to be part of this act, and shall be applied, observed, and put in execution accordingly: provided always, that nothing herein contained shall extend to repeal or alter any of the said duties now payable in relation to any deed or instrument which shall have been signed or executed by any party thereto, or which shall bear date before or upon the said 10th day of October, 1850.

2. That the said duties by this act granted shall be denominated and deemed to be stamp-duties, and shall be under the care and management of the Commissioners of Inland Revenue for the time being; and that all powers, provisions, clauses, regulations, directions, and exemptions, fines, forfeitures, pains, and penalties, contained in or imposed by the said recited act of the fifty-fifth year of the reign of King George III and the schedule thereto annexed, and in or by any other act or acts, relating to any duties of the same kind or description heretofore payable in Great Britain and Ireland respectively, and in force at the time of the passing of and not repealed by this act, shall respectively be of full force and effect with respect to the duties by this act granted, and to the vellum, parchment, and paper, instruments, matters, and things, charged and chargeable therewith, and to the persons liable to the payment of the said duties, so far as the same are or shall be applicable, in all cases not hereby expressly provided for, and shall be observed, applied, allowed, collected, and put in execution for and in the raising, levying, collecting, and securing of the said duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express provisions of this act, as fully and effectually, to all intents and purposes, as if

the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the said duties by this act granted, and the said schedule annexed to the said act of the fifty-fifth year of the reign of King George III and the said schedule to this act annexed shall be read and construed as one schedule and as one act.

3. Provided always, and be it enacted, that nothing in this act or in the schedule hereto annexed contained shall extend or be deemed or construed to extend to charge with stamp-duty any deed or instrument which by any act or acts now in force is expressly exempted from all stamp-duty; or to subject or charge any transfer or assignment of any share in the stock and funds of the Governor and Company of the Bank of England, or of the South Sea Company, or of the East India Company respectively, to or with any higher or other stamp-duty than such transfers and assignments are respectively subject and liable to under any act or acts now in force.

4. That the duties imposed by the said act of the 5 & 6 Vict. [c. 82.] upon any lease, release, or deed, minute, memorandum, or legal or equitable article or instrument for settling or demising lands, tenements, or hereditaments in Ireland, in the manner in the said act mentioned, and also the duty imposed by an act passed in the 9 & 10 Vict., [c. 112.] intitled "An Act to facilitate and encourage the granting of certain Leases for Terms of Years in Ireland," on any lease in the said last-mentioned act described, shall, so far as the same respectively relate to any such lease, release, or deed, minute or memorandum, article or instrument as aforesaid which shall bear date after the said 10th October, 1850, be and the same are hereby repealed; and every such lease, release, or deed, minute, memorandum, or legal or equitable article or instrument last mentioned shall be and become subject and liable to and chargeable with the duties imposed by this act and the said act of the fifty-fifth year of the reign of King George III respectively, on deeds and instruments of the like kind or description.

5. And whereas by an act passed in the seventh year of her Majesty's reign the stamp-duty on an agreement or minute, or memorandum of an agreement, under hand only, and in the said last-mentioned act more particularly described, was reduced to the sum of 2s. 6d.: and whereas doubts have arisen as to whether the said reduced duty extends to agreements or other instruments under hand only for settling or demising lands, tenements, or hereditaments in Ireland at a yearly rent not exceeding 50l.: and it is expedient to remove such doubts: be it therefore declared and enacted, that no agreement or minute, memorandum, or legal or equitable article or instrument, under hand only, made or to be made at any time since the 6th June, 1844, and before or upon the 10th October, 1850, for settling or demising lands, tenements, or hereditaments in Ireland at any yearly rent not exceeding 50l., shall be held or deemed to be or to have been subject or liable to any higher amount of stamp-duty than the said reduced duty of 2s. 6d. payable on an agreement or minute, or memorandum of an agreement, under hand only, by virtue of the said act of the seventh year of her Majesty's reign.

6. And whereas under or by virtue of the said several acts hereinbefore recited, or some of them, certain stamp-duties are now payable for or in respect of any bargain and sale, or lease for a year, for vesting the possession of lands or other hereditaments, and enabling the bargainee to take a release of the freehold or inheritance: and whereas by an act passed in the 4 & 6 Vict., [c. 21.] intitled "An Act for rendering a Release as effectual for the Conveyance of Freehold Estates as a Lease and Release by the same Parties," it is provided, that every deed or instrument taking effect under the said last-mentioned act in the manner therein mentioned shall be chargeable with the same amount of stamp-duty as any bargain and sale or lease for a year would have been chargeable with (except progressive duty) if executed to give effect to such deed or instrument, in addition to the stamp-duties which such deed or instrument shall be chargeable with as a release or otherwise under any act or acts relating to stamp-duties: and whereas by an act passed in the 8 & 9 Vict., [c. 106.] intitled "An Act to amend the Law of Real Property," it is enacted, that every deed which by force only of the said last-mentioned act shall be effectual as a grant shall be chargeable with the stamp-duty with which the same deed would have been chargeable in case the same had been a release founded on a lease or bargain and sale for a year, and also with the same stamp-duty (exclusive of progressive duty) with which such lease or bargain and sale for a year

would have been chargeable: and whereas it is expedient to repeal the said stamp-duties now payable for or in respect of any such bargain and sale or lease for a year as aforesaid, and also to repeal so much of the said two several acts last mentioned as imposes upon any deed or instrument the said additional stamp-duty as for a bargain and sale or lease for a year: be it therefore enacted, that the said duties now payable for or in respect of any such bargain and sale or lease for a year as aforesaid, and also so much of the said two several last-mentioned acts as is hereinbefore recited, shall, so far as the same respectively relate to any deed or instrument which shall bear date after the said 10th day of October, 1850, be and the same are hereby repealed.

7. And whereas by the said recited act of the fifty-fifth year of the reign of King George III, and the schedule thereto annexed, it is provided, that where any freehold lands or hereditaments shall be conveyed by a deed of feoffment or by a deed of bargain and sale inrolled, such deed of feoffment or bargain and sale, unless accompanied with a lease and release, shall be charged with such further duty as in the said last-mentioned schedule is specified and contained in that behalf: be it enacted, that so much of the said last-mentioned act and of the said schedule as charges such deed of feoffment or bargain and sale with any such further duty shall, as to any such deed as aforesaid which shall bear date at any time after the 10th day of October, 1850, be and the same is hereby repealed.

8. That if any person shall have received or gotten into his hands, or shall receive or get into his hands, any sum or sums of money as and for the stamp-duty upon or in respect of any deed, instrument, or transaction, or intended deed, instrument, or transaction, or the duty upon or in respect of any legacy or residue, and shall improperly neglect or omit to appropriate such sum or sums of money to the due payment of such duty, or shall otherwise by or under any means or pretence whatsoever improperly withhold or detain the same, every such person shall be accountable for the amount of such duty or sum or sums of money, and the same shall be a debt from such person to her Majesty, her heirs and successors, and recoverable as such accordingly; and it shall be lawful for the Barons of her Majesty's Court of Exchequer in England, Scotland, or Ireland respectively, upon application to be made for that purpose on behalf of the Commissioners of Inland Revenue, upon such affidavit as to such Court may appear sufficient, to grant a rule requiring such person, or his executor or administrator, to shew cause why he should not deliver to the said commissioners an account upon oath of all such duties and sums of money as aforesaid, and why the same should not be forthwith paid to the Receiver-General of Inland Revenue, or to such person as the said commissioners shall appoint or authorise to receive the same; and it shall be lawful for such Court to refer the taking or auditing of any such account to the proper officer of such Court, who shall examine any such person as a debtor or alleged debtor to the Crown, on personal interrogatories, if such Court shall think proper so to do; and it shall be lawful for such Court to make absolute any such rule as aforesaid in every case in which the same may appear to such Court to be proper and necessary, and to enforce by attachment or otherwise the payment of any such duties or sums of money as on such proceedings shall appear to such Court to be due, together with the costs of all such proceedings.

9. And whereas doubts have arisen as to certain stamp-duties in Great Britain and Ireland respectively payable under the said act of the fifty-fifth year of the reign of King George III, the said act of the third year of the reign of King George IV, and the several acts respectively therein recited or mentioned, and the said act of the sixth year of the reign of her present Majesty, or under some or one of the said several acts respectively, upon or in respect of certain deeds or instruments hereinafter mentioned, and it is proper that such doubts should be removed: be it therefore enacted and declared, that any transfer or assignment, disposition or assignment, already made, or which on or before the 10th day of October, 1850, may be made, of any mortgage or wadset or of any other security in the said acts or any of them mentioned, or of the benefit thereof, or of the money or stock thereby secured, shall not, by reason of its containing, either by the mortgagor or by any person entitled to the property mortgaged by descent, devise, or bequest from such mortgagor, any further or additional security for the payment or transfer or re-transfer of such money or stock, or any interest or dividends thereon, or any

new covenant, proviso, power, stipulation, or agreement, or other matter whatever, in relation to such money or stock, or the interest or dividends thereon, or by reason of its containing all or any of such matters, be or be deemed to be liable to any further or other duty (except progressive duty) than the duty hereinafter mentioned; that is to say, where no further money or stock has been or shall be added to the principal money or stock already secured, a stamp-duty of 1*l.* 15*s.*, and where any further sum of money or stock has been or shall be added to the principal money or stock already secured, the same stamp-duty only as on a mortgage or wadset for such further sum or stock; and that any deed or instrument, either by the mortgagor or by any person entitled as aforesaid, already made or which may be made as aforesaid, operating or intended to operate as a further charge or as a security for any further or additional money or stock advanced upon any property already comprised in any mortgage or other security, shall not by reason of its containing all or any of the matters aforesaid, in relation to the money or stock previously secured, or the interest or dividends thereon, be deemed to be liable to any further or other stamp-duty than the duty chargeable on an original mortgage for the further or additional money or stock in and by such deed of further charge or security charged or secured, or intended so to be.

10. And whereas numerous leases have been from time to time granted upon or after sales made in consideration of money paid to some other person or persons than the lessor, without stamping such leases with any ad valorem stamp in respect of such pecuniary consideration, the parties to such leases conceiving that the provisions of the several acts now in force requiring the consideration to be set out, and imposing an ad valorem duty thereon, did not apply to any other consideration than that passing between the lessor and lessee; but inasmuch as doubts have arisen on the subject, it is reasonable that such relief as is hereinafter mentioned should be afforded in such cases: be it therefore enacted and declared, that no lease made and executed before the 20th day of March, 1850, shall be adjudged, deemed, or taken to be improperly stamped by reason of there not being an ad valorem stamp impressed thereon for or in respect of any pecuniary consideration which may have been paid or may be therein expressed to be paid by the lessee to any other person or persons than the lessor, and that the seller and the lessee respectively in any such lease, and any attorney, solicitor, writer to the signet, or other person employed in or about the preparation or completion of the same, shall be exempted from all penalties and other liabilities for or by reason of any default in setting forth any such pecuniary consideration as aforesaid.

11. And whereas, by the several acts now in force relating to the stamp-duties as well as by this act, certain stamp-duties called progressive duties are imposed upon deeds and instruments in respect of certain quantities of words contained therein, together with any schedule, receipt, or other matter put or indorsed thereon or annexed thereto: and whereas doubts are entertained whether such progressive duties are chargeable on any deed or instrument in respect of the words contained in any other deed or instrument liable to stamp-duty and duly stamped which may be put or indorsed upon, or annexed to, or referred to in or by such first-mentioned deed or instrument, and it is expedient to remove such doubts: be it therefore declared and enacted, that the said progressive duties shall not be deemed or held to be or to have been imposed or chargeable upon any deed or instrument in respect of the words or any quantity of the words contained in any other deed or instrument liable to stamp-duty and duly stamped which may be or may have been put or indorsed upon or annexed to such first-mentioned deed or instrument, or which may be or may have been in any manner incorporated with or referred to in or by the same.

12. And whereas, for securing the due payment of the stamp-duties imposed by law on deeds and other instruments, it is expedient to alter the terms and conditions on which any such deed or instrument may be stamped after the execution or signing thereof: be it therefore enacted, that where any deed or instrument liable by law to any stamp-duty shall be written on vellum, parchment, or paper, and shall be signed or executed by any person before such vellum, parchment, or paper shall be duly stamped for denoting the payment of the said duty, then and in every such case there shall be due, answered, and paid to her Majesty, her heirs and successors, the whole,

or, as the case may be, the deficiency of the stamp-duty payable upon or in respect of such deed or instrument, and there shall also be paid and payable, over and above the said duty or deficiency of duty, by way of penalty, and in lieu of any former penalty imposed or made payable by law in the like case, the sum of 10*l.*: and where the whole amount of the duty or deficiency of duty, as the case may be, to be denoted by the stamp or stamps required to be impressed on such deed or instrument when the same shall be brought to be stamped shall exceed the sum of 10*l.*, there shall be paid by way of penalty, in addition to the said sum of 10*l.*, interest on the said duty or deficiency of duty computed at the rate of 5*l.* per centum per annum from the date or first signing or execution of such deed or instrument; provided, that if such interest shall exceed in amount the said duty or deficiency of duty, then there shall be paid by way of penalty, in addition to the said duty or deficiency of duty, and the said sum of 10*l.*, and in lieu of the said interest, a sum equal to the amount of the said duty or deficiency of duty; and the Commissioners of Inland Revenue are hereby required, upon payment of the said duty or deficiency of duty, and of the said sum or sums hereinbefore directed to be paid by way of penalty, to cause such deed or instrument to be duly stamped with a stamp or stamps for denoting the payment of such duty or deficiency, and also with a stamp for denoting the payment of a penalty, in lieu of the receipt heretofore required by any act to be written or given for such penalty; and no such deed or instrument shall be pleaded or given in evidence, or admitted to be good, useful, or available in law or equity until the same shall be duly stamped in manner aforesaid: provided always, that where it shall appear to the Commissioners of Inland Revenue, upon oath or otherwise, to their satisfaction, that any deed or instrument hath not been duly stamped previously to being signed or executed, by reason of accident, mistake, inadvertency, or urgent necessity, and without any wilful design or intention to defraud her Majesty, her heirs or successors, of the duty chargeable in respect thereof, or to evade or delay the payment of such duty, then and in any such case, if such deed or instrument shall within twelve calendar months after the first signing or executing of the same by any person be brought to the said commissioners in order to be stamped, and the stamp-duty chargeable thereon by law shall be paid, it shall be lawful for the said commissioners, if they shall think fit, to remit the whole or any part of the penalty payable on stamping such deed or instrument, and to cause such deed or instrument to be duly stamped, upon payment of the whole, or, as the case may be, the deficiency of the stamp-duty chargeable thereon by law, and either with or without any portion of the said penalty; and thereupon every such deed or instrument shall be as valid and available in the law as it would have been if it had been duly stamped before the signing or executing of the same: provided also, that nothing herein contained shall extend or be deemed or construed to extend to any deed or instrument for the stamping of which after the signing or execution thereof provision is specially made by any law now in force, or to any deed or instrument the stamping of which after the signing or execution thereof is expressly prohibited or restricted by any such law as aforesaid, or to repeal, alter, or affect any such provision, prohibition, or restriction.

13. Provided always, and be it enacted, that it shall be lawful for the Commissioners of Inland Revenue to order and direct that any deed or instrument which shall have been or shall or may be signed or executed by any party thereto at any place out of the United Kingdom may be duly stamped, upon payment of the proper stamp-duty payable thereon, and without payment of any additional duty or penalty, provided such deed or instrument shall be brought to the said commissioners to be stamped as aforesaid within the space of two calendar months from the time when the same shall have been received in the United Kingdom, and provided proof shall be first made to the satisfaction of the said commissioners of the facts aforesaid.

14. And whereas doubts frequently arise as to the stamp-duties with which some deeds or instruments are chargeable, and it is expedient that provision should be made whereby such doubts may be removed: be it therefore enacted, that when any deed or instrument liable to stamp-duty, whether previously stamped or otherwise, shall be presented to the Commissioners of Inland Revenue at their office, and the

party presenting the same shall desire to have the opinion of the said commissioners as to the stamp-duty with which such deed or instrument in their judgment is chargeable; and shall tender and pay to the said commissioners a fee of 10s., (which shall be accounted for and paid over as part of her Majesty's revenue arising from stamp-duties), it shall be lawful for the said commissioners and they are hereby required to assess and charge the stamp-duty to which in their judgment such deed or instrument is liable, and upon payment of the stamp-duty so assessed, and charged by them, or, in the case of a deed or instrument insufficiently stamped, of such a sum as, together with the stamp-duty already paid thereon, shall be equal to the duty so assessed and charged, and upon payment also of the amount, if any, payable by way of penalty on stamping such deed or instrument, to stamp such deed or instrument with the proper stamp or stamps denoting the amount of the duty so paid, and thereupon, or if the full stamp-duty to which in the judgment of the said commissioners such deed or instrument shall be liable shall have been previously paid and denoted upon the same in manner aforesaid, the said commissioners shall impress upon such deed or instrument a particular stamp to be provided by them for that purpose, with such word or words or device or symbol thereon as they shall think proper in that behalf, and such last-mentioned stamp shall be deemed and taken to signify and denote that the full amount of stamp-duty with which such deed or instrument is by law chargeable has been paid, and every deed or instrument upon which the same shall be impressed shall be deemed to have been duly stamped, and shall be receivable in evidence in all courts of law or equity, notwithstanding any objection made to the same as being insufficiently stamped; save and except that such last-mentioned stamp shall not be impressed upon any deed or instrument chargeable with ad valorem duty under or by reference to the head of "Bond" or "Mortgage" in the schedule to this act where the same is made as a security for the payment or transfer or re-transfer of money or stock without any limit as to the amount thereof; and provided always, that nothing herein contained shall be deemed or construed to extend to require or authorise the said commissioners to stamp as last aforesaid any probate of a will or letters of administration, or to stamp as last aforesaid any deed or instrument after the signing or execution thereof in any case in which the stamping thereof is expressly prohibited by any law in force.

15. Provided always, and be it enacted, that if the party presenting such deed or instrument to the said commissioners as aforesaid for their opinion as to the stamp-duty with which the same is chargeable shall declare himself dissatisfied with the determination made by them in that behalf, it shall be lawful for such party, upon paying the amount of the stamp-duty according to such determination, and depositing with the said commissioners the sum of 40s. for costs and charges to be paid by him in the event hereinafter provided for, to require the said commissioners to state specially and to sign the case on which the question with respect to such stamp-duty arose, together with their determination thereupon, which case the said commissioners are hereby required to state and sign accordingly, and to cause the same to be delivered to the party making such request as aforesaid in order that he may appeal against such determination to her Majesty's Court of Exchequer at Westminster; and upon the application of the said party (due notice thereof being given to the solicitor of inland revenue to the end that counsel may be heard on behalf of the said commissioners) it shall be lawful for the said Court of Exchequer and the said Court is hereby required to hear and determine the said appeal, and to decide as to the stamp-duty with which such deed or instrument is chargeable, and according to such decision the stamp-duty and penalty (if any) which shall have been the subject of such case shall be deemed to have been payable by law; and if no excess of stamp-duty or penalty shall have been paid to the said commissioners by the said appellant, over and above the sum which according to the decision of the said Court ought to have been paid upon or in respect of such deed or instrument, the said sum of 40s. deposited for costs and charges as aforesaid shall be applied to the use of her Majesty's revenue; but if any such excess as aforesaid shall have been so paid by the said appellant, the same, together with the said sum of 40s. deposited as aforesaid, shall be repaid by the said commissioners to the said appellant; and if the sum paid or stamp-duty or penalty upon or in respect of such deed or instrument shall fall short of the amount which, according to

the decision of the said Court upon any such appeal, is chargeable or ought to be paid upon or in respect of such deed or instrument, the deficiency of such stamp-duty or penalty, or both, as the case may be, shall be paid by the said appellant to the said commissioners, and the Court shall order and enforce the payment thereof accordingly.

16. That where any lands or other property shall have been actually and bonâ fide contracted to be sold prior to the 20th day of March, 1850, by any contract or agreement in writing duly stamped, or shall have been actually and bonâ fide sold under the decree of any Court made prior to the said 20th day of March, and the same shall be conveyed to the purchaser or any other person by his direction after the 10th day of October, and before or on the 31st day of March, 1851, or where any lands or other property shall have been actually and bonâ fide contracted to be mortgaged prior to the said 20th day of March, 1850, and the abstract of title of the mortgagor to such lands or other property shall have been actually delivered to the intended mortgagee or his solicitor prior to the said 20th day of March, 1850, and the same mortgage shall be executed after the said 10th day of October, and before or on the 31st day of March, 1851, or where any deed or instrument liable to the ad valorem duty by this act granted under the head of "Settlement" in the schedule to this act shall be executed after the said 10th day of October, and before or on the 31st day of March, 1851, in pursuance of an obligation contained in any deed, will, or other instrument which was actually and bonâ fide in force and obligatory upon the party executing the same prior to the said 20th day of March, 1850, or in pursuance of the decree of any Court made prior to that day, the principal or only deed or instrument whereby such lands or other property as aforesaid shall be conveyed or mortgaged respectively, and the principal or only deed chargeable with ad valorem duty by this act granted under the head of "Settlement" in the schedule hereto, shall be exempt from any ad valorem duty of a greater amount than would have been payable on such deed or instrument respectively if this act had not been passed; but in order to prevent frauds such deed or instrument shall be produced on or before the 30th day of April, 1851, duly executed and duly stamped, to the Commissioners of Inland Revenue, and upon its being proved to their satisfaction that the lands or other property therein comprised were actually and bonâ fide contracted to be sold as aforesaid, or were actually and bonâ fide sold under the decree of any Court made prior to the said 20th day of March, 1850, or that such lands or other property therein comprised were actually and bonâ fide contracted to be mortgaged as aforesaid, and that the abstract of title thereto was actually delivered as aforesaid, or that such deed or instrument liable to the ad valorem duty by this act, granted under the head of "Settlement" in the schedule to this act, was executed in pursuance of an obligation contained in such deed, will, or other instrument so in force and obligatory as aforesaid, or was actually and bonâ fide executed in pursuance of the decree of any Court made prior to the said 20th day of March, 1850, and that such deed or instrument was duly executed on or before the 31st day of March, 1851, the said Commissioners of Inland Revenue, or some or one of them, shall sign a certificate of what shall be so proved to their satisfaction upon such deed or instrument, and thereupon such deed or instrument, being stamped with the ad valorem duty which would have been payable if this act had not been passed, shall be as valid and available in the law as if the same had been stamped with the said ad valorem duty by this act granted, but the same shall not without such certificate be given in evidence, or be in any manner available, unless stamped with such ad valorem duty last mentioned.

17. And whereas it is considered that under the provisions of an act passed in the 1 & 2 Geo. 4, [c. 55,] intitled "An Act to remove Doubts as to the Amount of Stamp-duties to be paid on Deeds and other Instruments under the several Acts in Force in Great Britain and Ireland respectively," any deed, agreement, or other instrument which relates wholly to real or personal property in Ireland, or to any matter or thing (other than the payment of money) to be done in Ireland, cannot after the ingrossing thereof properly be stamped elsewhere than at the Stamp-office in Dublin, and also that any deed, agreement, or other instrument which relates to any real or personal property situate elsewhere than in Ireland, or to any matter or thing (other than the payment of money) to be done elsewhere than in Ireland, cannot after the ingrossing thereof properly

be stamped elsewhere than at the Stamp-office in London: and whereas such construction of the said act as aforesaid is the occasion of inconvenience: be it therefore enacted and declared, that from and after the passing of this act any such deed, agreement, or instrument as aforesaid may and shall, without regard to the place where the property, matter, or thing to which the same may relate may be situate or may be to be done, be stamped with such duty or duties as the same may be liable to, either at the Stamp-office in London or at the Stamp-office in Dublin, according as the same shall for that purpose be presented at either of the said offices.

18. And whereas by an act passed in the 12 & 13 Vict., [c. 80.] intituled "An Act to repeal the Allowances on the Purchase of Stamps, and for the receiving and accounting for the Duties on Gold and Silver Plate, and to grant other Allowances in Lieu thereof," an allowance at the rate of 1*l.* 10*s.* per cent. is granted to any person who shall produce at the office of the Commissioners of Inland Revenue in London or Dublin to be stamped, or shall purchase of the said commissioners at their office in London, Edinburgh, or Dublin, vellum, parchment, or paper stamped with stamps (not being labels for medicines) under the value respectively of 10*l.* each, but to the amount or value in the whole of 30*l.* or upwards: and whereas it is expedient to repeal the said allowance so far as relates to stamps for receipts, and to grant another and increased rate of allowance in lieu thereof: be it therefore enacted, that from and after the passing of this act the said allowance granted by the said last-mentioned act, so far as the same relates to stamps for receipts, shall be and the same is hereby repealed, and that in lieu thereof there shall be made and granted the allowance following; that is to say, to any person who at one and the same time shall produce at the office of the said commissioners in London or Dublin paper to be stamped with stamps for receipts to the amount of 5*l.* or upwards, or shall purchase at the office of the said commissioners in London, Edinburgh, or Dublin stamps for receipts to the amount of 5*l.* or upwards, or of any distributor or sub-distributor of stamps at any place not within the distance of ten miles from the said offices respectively to the amount of 1*l.* or upwards, an allowance at and after the rate of 7*l.* 10*s.* per cent., provided that no such allowance shall be made for any fraction of 1*l.*

19. And whereas by an act passed in the 55 Geo. 3, [c. 101.] intituled "An Act to regulate the Collection of Stamp-duties on Matters in Respect of which Licences may be granted by the Commissioners of Stamps in Ireland," it is enacted, that the said commissioners shall annually grant a licence for insuring houses, furniture, goods, wares, merchandise, or other property from loss by fire to all and every body and bodies politic or corporate or person or persons applying for the same in manner therein mentioned, and that where the business of insurance is carried on by a company consisting of a greater number than four the said licence shall be granted to such two or more of such company or partners, or if such company or partnership shall be a British company or partnership, then to such agent or agents resident in Ireland as shall be named to the said commissioners; and that no person or persons or body or bodies politic or corporate shall insure, or open or keep any office in Ireland for insuring houses, furniture, goods, wares, merchandise, or other property from loss by fire, without having first taken out and continuing to take out annually a licence for that purpose; and it is also enacted, that all and every person and persons and body or bodies politic or corporate to whom any such licence as aforesaid shall be granted shall at the time of receiving such licence give such security, with sufficient sureties, to be approved of by the said Commissioners of Stamps, by bond to his Majesty, conditioned for making out, signing, and delivering the accounts of all monies received for duties upon such insurances, and payment of the same, as therein mentioned: and whereas under and by virtue of an act passed in the 6 & 7 Will. 4, [c. 28.] intituled "An Act to enable Persons to make Deposits of Stock or Exchequer Bills in Lieu of giving Security by Bond to the Postmaster-General and Commissioners of Land Revenue, Customs, Excise, Stamps, and Taxes," and of an act passed in the 1 & 2 Vict., [c. 61.] for amending the said last-mentioned act, any person from whom any security is required in respect of any matter relating to the revenues of the Post-office, land revenues, customs, excise, stamps, or taxes, is enabled, in lieu of giving such security by bond, to give the same by transfer of stock or deposit of Exchequer bills, as therein mentioned: and whereas

the giving of security every year by persons in Ireland insuring property from loss or damage by fire on taking out a licence for that purpose is attended with great inconvenience, and it is expedient to provide a remedy for the same: be it therefore enacted, that every licence which shall be hereafter granted for insuring houses, furniture, goods, wares, merchandise, or other property from loss by fire, under the said act passed in the fifty-fifth year of the reign of King George III, shall endure and remain in force from the day of the date thereof for and during all such time as the body politic or corporate to which the same shall be granted, or the person or persons therein named, or any of them, shall continue to insure or carry on the business of fire insurance, or, in the case of a company in Ireland not incorporate, so long as the persons named in the licence shall be members or partners or a member or partner of the company named or described in such licence, and as for the whole of which the same shall have been granted, anything in any of the said recited acts or in any other act contained to the contrary notwithstanding: provided always, that every person and body politic or corporate to whom any such licence as aforesaid shall be granted shall give security by bond to her Majesty, her heirs and successors, in such sum as the Commissioners of Inland Revenue, or their proper officer in that behalf in Ireland, shall think proper, with sufficient sureties, to the satisfaction of the said commissioners or officer, or by transfer of stock or deposit of Exchequer bills, in pursuance of the said recited acts in that behalf, for duly and faithfully keeping, making out, signing, and delivering, in the manner required by any act of Parliament relating thereto, all and every the accounts by any such act required to be kept, made out, signed, and delivered by persons and bodies politic or corporate to whom licence is granted for insuring houses, furniture, goods, wares, merchandise, or other property from loss by fire, and for duly and faithfully paying, as required by any such act, the duties which shall appear to be due on such accounts respectively, and for truly and faithfully observing and performing all the directions, matters, and things contained in the said acts, on the part of such licensed person or body politic or corporate to be observed and performed; and every such security to be given under any of the said acts, whether by bond, or transfer or deposit of stock or Exchequer bills, and in the case of any such transfer or deposit in or into whose name or names soever, together with the name of the chairman of the Commissioners of Inland Revenue for the time being, the stock or Exchequer bills shall be or be transferred or deposited, shall continue and be a security for the due performance of all things required as aforesaid, not only during all such time as the licence to which the same shall relate shall be in force, but, in the case of bodies politic or corporate or companies not incorporate in Ireland, during all such time as the body politic or corporate or the company not incorporate named or described in such licence shall insure any such property from loss by fire, or shall carry on the business of such insurance, whether any such licence shall be in force or not, or otherwise, according to the conditions of any such bond, or the terms or conditions of any declaration relating to any such stock or Exchequer bills; and such stock or Exchequer bills may, when the security for which the same was or were transferred or deposited shall be no longer necessary, be transferred or delivered up to any of the persons who for the time being shall be a partner or member or partners or members of the company for or on whose behalf the same was or was transferred or deposited, or otherwise, according to the terms, if any, in that behalf mentioned and contained in any such declaration as the said chairman for the time being shall think proper: provided always, that every such security shall be renewed from time to time as often as any such bond shall become forfeited, or any of the parties thereto shall die, or become bankrupt or insolvent, or reside in parts beyond the sea, and also as often as the said commissioners or their said officer shall think fit, and in such amount as they or the Commissioners of her Majesty's Treasury shall direct, whether the same shall be by bond or transfer or deposit as aforesaid; and in the event of any neglect or refusal to renew the same, when required by this act, or by the said Commissioners of Inland Revenue or their said officer, it shall be lawful for the said last-mentioned commissioners to revoke the licence which shall have been granted to the body politic or corporate, or company, or person or persons, neglecting or refusing to renew such security, to insure property from loss by fire, and thenceforth such licence shall cease and determine.

20. And in order to avoid the frequent use of diverse terms and expressions, and to prevent any misconstruction of the terms and expressions used in this or any other act relating to stamp-duties, be it enacted, that wherever in this act or in any other such act as aforesaid, with reference to any person, offence, matter, or thing, any word or words is or are or have been or shall be used importing the singular number or the masculine gender only, yet such words shall be understood to include several persons as well as one person, females as well as males, bodies politic or corporate as well as individuals, and several matters or things as well as one matter or thing, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction; and that wherever the several words, terms, or expressions following are or shall be used in this act or in any other such act as aforesaid, with reference to any deed or instrument, they shall be construed respectively in the manner hereinafter directed, that is to say, the word "write" or the word "written" shall be respectively deemed to mean and include the several words "print" or "printed," or "partly write and partly print," or "partly written and partly printed," as well as "write" or "written."

21. That this act may be amended or repealed by any act to be passed in this present session of Parliament.

The SCHEDULE referred to,
CONTAINING

THE DUTIES GRANTED BY THIS ACT.

AGREEMENT, or any minute or memorandum of agreement, made in England or Ireland under hand only, or made in Scotland without any clause of registration, (*not charged otherwise than under the head "Agreement" in the schedule to the act 55 Geo. 3, c. 184, nor expressly exempted from all stamp-duty*), where the matter thereof shall be of the value of 20*l.* or upwards, whether the same shall be only evidence of a contract, or obligatory upon the parties from its being a written instrument, together with every schedule, receipt, or other matter put or indorsed thereon or annexed thereto £0 2 6

And where the same shall contain 2160 words or upwards, then for every entire quantity of 1080 words contained therein, over and above the first 1080 words, a further *progressive* duty of 0 2 6

BOND in England or Ireland, and personal bond in Scotland, given as a security for the payment of any *definite* and *certain* sum of money:—

Not exceeding 50*l.* £0 1 3

Exceeding 50*l.* and not exceeding 100*l.* 0 2 6

Exceeding 100*l.* and not exceeding 150*l.* 0 3 9

Exceeding 150*l.* and not exceeding 200*l.* 0 5 0

Exceeding 200*l.* and not exceeding 250*l.* 0 6 8

Exceeding 250*l.* and not exceeding 300*l.* 0 7 6

And where the same shall exceed 300*l.*, then for every 100*l.* and also for any fractional part of 100*l.* 0 2 6

BOND in England or Ireland, and personal bond in Scotland, given as a security for the repayment of any sum or sums of money to be thereafter lent, advanced, or paid, or which may become due upon an account current, together with any sum already advanced or due, or without, as the case may be;

Where the money secured or to be ultimately recoverable thereupon shall be limited not to exceed a given sum—the same duty as on a bond for such limited sum.

And where the total amount of the money secured or to be ultimately recoverable thereupon shall be uncertain, and without any limit—the same duty as on a bond for a sum equal to the amount of the penalty of such bond.

And where there shall be no penalty of the bond in such last-mentioned case, such bond shall be available for such an amount only as the ad valorem duty denoted by any stamp or stamps thereon will extend to cover.

BOND in England or Ireland, and personal bond in Scotland, given as a security for the transfer or re-transfer of any share in any of the Government or Parliamentary stocks or funds, or in the stock and funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other company or corporation—the same ad valorem duty as on a bond for a sum of money

equal to the value of the stock or fund secured, according to the average price thereof on the day of the date of the bond, or on either of the ten days preceding, or if there shall not have been any known sale on any of such days, then on the latest day preceding on which there shall have been a known sale.

Heritable bond in Scotland for any of the purposes aforesaid. See "Mortgage."

BOND in England or Ireland, and personal bond in Scotland, given as a security for the payment of any sum of money, or for the transfer or re-transfer of any share in any of the stocks or funds before mentioned, which shall be secured also by a mortgage or wadset, or other instrument or writing hereinafter charged with and which shall have paid the same duty as a mortgage or wadset, or for the performance of covenants contained in such mortgage or other instrument or writing, or for both those purposes, provided such mortgage, wadset, or other instrument or writing shall bear even date with and be referred to in such bond;

Where the sum of money or the value of the stock or funds secured shall not exceed 800*l.*—the same ad valorem duty as on a mortgage or wadset for securing the like amount or value.

And where such sum of money or value shall exceed 800*l.* £1 0 0

BOND in England or Ireland, and personal or heritable bond in Scotland, given as an additional or further security for the payment of any sum or sums of money, or for the transfer or re-transfer of any share in any of the stocks or funds before mentioned, previously secured by a bond, mortgage, or other security therein referred to, and which shall have paid the proper ad valorem duty on bonds or mortgages imposed by law at the date thereof;

Where the sum of money or the value of the stock or funds secured shall not exceed 1400*l.*—the same ad valorem duty as on a bond or mortgage for securing the like sum or value.

And where such sum of money or the value of the stock or funds secured shall exceed 1400*l.* £1 15 0

BOND.—Any transfer or assignment, disposition or assignation of any such bond as aforesaid, and which shall have paid the proper ad valorem duty on bonds;

Where the principal money or stock secured by the bond shall not exceed in amount or value in the whole the sum of 1400*l.*—the same duty as on a bond for the total amount or value of such principal money or stock.

And in every other case such transfer, assignment, disposition, or assignation shall be chargeable with the duty of £1 15 0

And see "Progressive Duty."

BOND in England or Ireland, and personal or heritable bond in Scotland, given as the only or principal security for the payment of any annuity upon the original creation and sale thereof—the same ad valorem duty as on a conveyance upon sale in consideration of the sum or value given or agreed to be given for the purchase of such annuity.

For the duty payable, see "Conveyance" upon the sale of property.

BOND in England or Ireland, and personal bond in Scotland, given as a collateral or auxiliary security for the payment of any annuity upon the original creation and sale thereof, where the same shall be granted or conveyed or secured by any other deed or instrument liable to and charged with the ad valorem duty imposed by law on conveyances upon the sale of any property;

Where such ad valorem duty shall not exceed 20*s.*, such bond shall be chargeable with a stamp-duty of equal amount with the said ad valorem duty.

And where such ad valorem duty shall exceed 20*s.*, such bond shall be chargeable with the duty of £1 0 0

BOND in England or Ireland, and personal or heritable bond in Scotland, given as a security for the payment of any annuity, (except upon the original creation and sale thereof), or of any sum or sums of money at stated periods, (not being interest for any principal sum, nor rent reserved or payable upon any lease or tack), for any definite and certain term; so that the total amount

of the money to be paid can be previously ascertained—the same *ad valorem* duty as on a bond of the like nature for the payment of a sum of money equal to such total amount.

BOND in England or Ireland, and personal or heritable bond in Scotland, given as a security for the payment of any annuity, (except as aforesaid), or of any sum or sums of money at stated periods, (not being interest for any principal sum, nor rent reserved or payable upon any lease or tack), for the term of life or any other indefinite period, so that the whole money to be paid cannot be previously ascertained;

Where the annuity or sum secured shall not exceed 50*l.* per annum £1 0 0

And where the same shall exceed 50*l.*, and not exceed 100*l.* per annum 2 0 0

And where the same shall exceed 100*l.* per annum, then for every 100*l.* per annum and also for any fractional part of 100*l.* per annum 2 0 0

But where there shall be both a personal and heritable bond in Scotland in separate deeds of the same date for securing any such annuity or sums payable at stated periods, and the *ad valorem* duty above charged thereon shall amount to 2*l.* or upwards, the heritable bond only shall be charged with the *ad valorem* duty, and the personal bond shall be charged only with a duty of 1 0 0

BOND of any kind or description given for any other purpose than as aforesaid—the duty chargeable thereon by any act or acts now in force.

Provided always, and it is hereby declared, that no such bond as last mentioned shall be charged or chargeable under this or any other act or acts with any greater amount of stamp-duty than the *ad valorem* duty hereinbefore charged upon a bond given for the payment of a definite and certain sum of money of the same amount as the penalty of such bond.

And in all the said several cases of **BOND**, see “Progressive Duty.”

CHARTER of resignation, or of confirmation, or of novodamus, or upon apprising, or upon a decret of adjudication or sale of any lands, or other heritable subjects in Scotland, holden of any subject superior £0 5 0

And where the same shall contain 2160 words or upwards, then for every entire quantity of 1080 words contained therein over and above the first 1080 words, a further *progressive* duty of 0 5 0

CONVEYANCE, whether grant, disposition, lease, assignment, transfer, release, renunciation, or of any other kind or description whatsoever, upon the sale of any lands, tenements, rents, annuities, or other property—that is to say, for and in respect of the principal or only deed, instrument, or writing whereby the lands or other things sold shall be granted, leased, assigned, transferred, released, renounced, or otherwise conveyed to or vested in the purchaser or purchasers, or any other person or persons by his, her, or their direction;

Where the purchase or consideration money therein or thereupon expressed shall not exceed 25*l.* £0 2 6

And where the same shall exceed 25*l.* and not exceed 50*l.* 0 5 0

And where the same shall exceed 50*l.* and not exceed 75*l.* 0 7 6

And where the same shall exceed 75*l.* and not exceed 100*l.* 0 10 0

And where the same shall exceed 100*l.* and not exceed 125*l.* 0 12 6

And where the same shall exceed 125*l.* and not exceed 150*l.* 0 15 0

And where the same shall exceed 150*l.* and not exceed 175*l.* 0 17 6

And where the same shall exceed 175*l.* and not exceed 200*l.* 1 0 0

And where the same shall exceed 200*l.* and not exceed 225*l.* 1 2 6

And where the same shall exceed 225*l.* and not exceed 250*l.* 1 5 0

And where the same shall exceed 250*l.* and not exceed 275*l.* 1 7 6

And where the same shall exceed 275*l.* and not exceed 300*l.* 1 10 0

And where the same shall exceed 300*l.* and not exceed 350*l.* 1 15 0

And where the same shall exceed 350*l.* and not exceed 400*l.* 2 0 0

And where the same shall exceed 400*l.* and not exceed 450*l.* 2 5 0

And where the same shall exceed 450*l.* and not exceed 500*l.* 2 10 0

And where the same shall exceed 500*l.* and not exceed 550*l.* 2 15 0

And where the same shall exceed 550*l.* and not exceed 600*l.* 3 0 0

And where the purchase or consideration money shall exceed 600*l.*, then for every 100*l.* and also for any fractional part of 100*l.* 0 10 0

And it is hereby directed, that the purchase-money or consideration shall be truly expressed and set forth in words at length in or upon every such principal or only deed or instrument of conveyance; and where such consideration shall consist either wholly or in part of any stock or security, the value thereof respectively, to be ascertained as hereinafter mentioned, shall also be truly expressed and set forth in manner aforesaid in or upon every such deed or instrument; and such value shall be deemed and taken to be the purchase or consideration money, or part of the purchase or consideration money, as the case may be, in respect whereof the *ad valorem* duty shall be charged as aforesaid.

And where the consideration or any part of the consideration shall be any stock in any of the public funds, or any Government debenture or stock of the Bank of England or Bank of Ireland, or any debenture or stock of any corporation, company, society, or persons or person, payable only at the will of the debtor, the said duty shall be calculated (taking the same respectively, whether constituting the whole or a part only of such consideration) according to the average selling price thereof respectively on the day or on either of the ten days preceding the day of the date of the deed or instrument of conveyance, or if no sale shall have taken place within such ten days, then according to the average selling price thereof on the day of the last preceding sale; and if such consideration or part of such consideration shall be a mortgage, judgment, or bond, or a debenture, the amount whereof shall be recoverable by the holder, or any other security whatsoever, whether payable in money or otherwise, then such calculation shall be made according to the sum due thereon for both principal and interest.

And see “Progressive Duty.”

COPYHOLD ESTATES and Customary Estates passing by surrender and admittance, or by admittance only, and not by deed: instruments relating thereto upon the sale or mortgage of any such estates; that is to say—

Any admittance out of court, or the memorandum thereof, or the copy of court roll of any admittance in court £0 2 6

And where the same shall contain 2160 words or upwards, then for every entire quantity of 1080 words contained therein over and above the first 1080 words, a further *progressive* duty of 0 2 6

COUNTERPART. See “Duplicate.”

COVENANT.—Any separate deed of covenant made on the sale or mortgage of any freehold, leasehold, copyhold, or customary estate, or of any right or interest therein (the same not being a deed chargeable with *ad valorem* duty under the head of “Conveyance” in this Schedule) for the conveyance, assignment, surrender, or release of such estate, right, or interest, or for the title to, or quiet enjoyment, freedom from incumbrances, or further assurance of, the same estate, right, or interest, or otherwise by way of indemnity in respect of the same, or for the production of the title-deeds or muniments of title relating thereto, or for all or any of those purposes;

Where the *ad valorem* duty on the purchase-money or con-

sideration or on the mortgage-money shall not exceed the sum of 10s.—a duty equal to the amount of such ad valorem duty.

And where the same shall exceed that amount .. £0 10 0
And see "Progressive Duty."

COVENANT.—Any deed containing a covenant for the payment or repayment of any sum or sums of money, or for the transfer or re-transfer of any share or shares in the Government or Parliamentary stocks or funds, or in the stock and funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other company or corporation, in any case where a mortgage, if made for the like purpose, would be chargeable under this Schedule with any ad valorem duty exceeding in amount the sum of 1l. 15s.; or for the payment of any annuity, or any sums at stated periods in any case where a bond for the like purpose would be chargeable with any such duty—the same ad valorem duty as on a mortgage or bond respectively for the like purpose.

For the duty thereon, see "Bond" or Mortgage."

And see "Progressive Duty."

Provided always, that where any covenant shall be made as an additional or further security for the payment or repayment, transfer or re-transfer of any sum or sums of money, or any share or shares in any of the said stocks or funds, or for the payment of any annuity or sums at stated periods, at the same time or already or previously secured by any bond or other instrument mentioned and referred to by the deed containing such covenant, and chargeable with and which shall have paid the proper ad valorem duty under the head of "Bond" or "Mortgage," or (as respects any annuity) under the head of "Conveyance," respectively in this Schedule, or under any act or acts in force at the date thereof, in respect of the same sum or sums, share or shares, the said ad valorem duty hereby charged shall not be payable upon or in respect of such covenant; and if required for the sake of evidence the deed containing such covenant shall, on the same and such bond or other instrument being produced duly stamped in other respects, be stamped with a particular stamp for denoting or testifying the payment of the ad valorem duty hereby charged.

Exemption from the preceding ad valorem Duty, but not from any other Duty to which the same may be liable.

Any covenant contained in any deed chargeable with any duty under the head of "Mortgage" in this Schedule, or in any deed exempted from the ad valorem duty on mortgages by the act 3 Geo. 4, c. 117, such deeds hereby exempted operating as a security by way of mortgage, or as a transfer, assignment, disposition, or assignation hereinafter charged for the same sum or sums of money, or share or shares in any of the said stocks or funds, which is or are the subject of such covenant.

Also any covenant contained in any deed chargeable with any duty under the head of "Settlement" in this Schedule, in respect of the same sum or sums of money, or share or shares in any of the said stocks or funds, which is or are the subject of such covenant.

DUPLICATE OR COUNTERPART of any deed or instrument, of any description whatever, chargeable with any stamp-duty or duties, either under this schedule or any other act or acts now in force;

Where such stamp-duty or duties chargeable as aforesaid (exclusive of progressive duty) shall not amount to the sum of 5s.—the same duty or duties as shall be chargeable on the original deed or instrument, including the progressive duty thereon (if any).

And where the same (exclusive as aforesaid) shall amount to the sum of 5s. or upwards £0 5 0

And where in the latter case any such deed or instrument, together with any schedule, receipt, or other matter put or indorsed thereon or annexed thereto, shall contain 2160 words or upwards, then for every entire quantity of 1080 words contained therein, over and above the first 1080 words, such duplicate or counterpart shall be charged with the further progressive duty of 0 2 6

Provided always, that in such latter case the duplicate or counterpart shall not be available unless stamped with a

particular stamp for denoting or testifying the payment of the full and proper stamp-duty on the original deed or instrument, which said particular stamp shall be impressed upon such duplicate or counterpart, on the same being produced, together with the original deed or instrument, and on the whole being duly executed and duly stamped in all other respects.

LEASE OR TACK of any lands, tenements, hereditaments, or heritable subjects, granted in consideration of a sum of money by way of fine, premium, or grassum paid for the same, without any yearly rent, or with any yearly rent under 20l.—the same duty as for a conveyance on the sale of lands for a sum of money of the same amount.

For the duty thereon, see "Conveyance."

(Save and except leases and tacks for a life or lives not exceeding three, or for a term of years determinable with a life or lives not exceeding three, by whomsoever granted, and leases for a term absolute not exceeding twenty-one years, granted by ecclesiastical corporations, aggregate or sole, where the duties on such leases and tacks respectively would, under the provisions of this act, amount to 1l. 15s. or upwards).

LEASE OR TACK of any lands, tenements, hereditaments, or heritable subjects at a yearly rent, without any sum of money by way of fine, premium, or grassum paid for the same;

Where the yearly rent shall not exceed 5l. £0 0 6

And where the same shall exceed 5l. and not exceed 10l. 0 1 0

And where the same shall exceed 10l. and not exceed 15l. 0 1 6

And where the same shall exceed 15l. and not exceed 20l. 0 2 0

And where the same shall exceed 20l. and not exceed 25l. 0 2 6

And where the same shall exceed 25l. and not exceed 50l. 0 5 0

And where the same shall exceed 50l. and not exceed 75l. 0 7 6

And where the same shall exceed 75l. and not exceed 100l. 0 10 0

And where the same shall exceed 100l., then for every 50l. and also for any fractional part of 50l. 0 5 0

LEASE OR TACK of any lands, tenements, hereditaments, or heritable subjects, granted in consideration of a sum of money by way of fine, premium, or grassum, and also of a yearly rent amounting to 20l. or upwards—both the ad valorem duties payable for a lease in consideration of a fine only and for a lease in consideration of a rent only of the same amount.

(Save and except the leases and tacks hereinbefore excepted).

LEASE OR TACK of any mine or minerals or other property of a like nature, either with or without any other lands, tenements, hereditaments, or heritable subjects, where any portion of the produce of such mines or minerals shall be reserved to be paid in money or kind;

If it shall be stipulated that the value of such portion of the produce shall amount at least to a given sum per annum, or if such value shall be limited not to exceed a given sum per annum, to be specified in such lease or tack, then the said ad valorem duty on leases shall be charged in respect of the highest of such sums so given or limited for any year during the term of such lease or tack.

And where any yearly sum shall be reserved in addition to or together with such produce, relative to the yearly amount or value of which produce there shall be no such stipulation or limitation as aforesaid, the said ad valorem duty shall be charged in respect of such yearly sum.

And where both a certain yearly sum and also such produce relative to the yearly amount or value of which there shall be such stipulation or limitation as aforesaid shall be reserved, the said ad valorem duty shall be charged on the aggregate of such yearly sum and also of the highest yearly amount or value of such produce.

GENERAL REGULATIONS as to Leases and Tacks:

Where, in any of the aforesaid several cases of lease or tack, any fine, premium, or grassum, or any rent, payable under any lease or tack, shall consist wholly or in part of

corn, grain, or victual, the value of such corn, grain, or victual shall be ascertained or estimated at and after any permanent rate of conversion which the lessee may be specially charged with, or have it in his option to pay; and if no such permanent rate of conversion shall have been stipulated, then in England and Ireland respectively at and after the prices, upon an average of twelve calendar months preceding the 1st day of January next before the date of such lease or tack, of the average prices of British corn published in the London Gazette in the manner directed by any act in force for the commutation of tithes in England and Wales; and in Scotland at and after the fairs prices of the county in which the lands or any part thereof lie, upon an average of seven years preceding the date of such lease or tack; and such respective values shall be deemed and taken to be the fine, premium, or grassum, or yearly rent, or part thereof respectively, as the case may be, in respect whereof the ad valorem duty shall be charged as aforesaid.

And where *separate and distinct* fines, premiums, or grassums shall be paid to several lessors, being joint tenants, tenants in common, or coparceners, in England or Ireland, or proprietors pro indiviso in Scotland, who shall by one and the same deed or instrument jointly or severally demise or lease the lands, tenements, hereditaments, or heritable subjects of which they are such joint tenants, tenants in common, or coparceners, in England or Ireland, or proprietors pro indiviso in Scotland, or where *separate and distinct* rents shall be by one and the same deed or instrument reserved or made payable, or agreed to be reserved or made payable, to the lessor or to several lessors, being such joint tenants, tenants in common, or coparceners, in England or Ireland, or proprietors pro indiviso in Scotland, the ad valorem duties shall be charged in respect of the *aggregate* amount of such fines, premiums, or grassums, and of such rents respectively.

And where any person, having contracted for, but not having obtained, a lease of any lands or other property, shall contract to sell such lands or other property, or any part thereof, or his right or interest therein or thereto, to any other person, and a lease shall accordingly be granted to such other person, the purchase-money or consideration which shall be paid or given or agreed to be paid or given to the person immediately selling to such lessee shall be set forth in such lease, and such lease shall be charged as well with the said ad valorem duty on such purchase-money or consideration as with the duty on the purchase-money or consideration or rent paid or reserved to the lessor.

LEASE or TACK, of any kind, not otherwise charged £1 15 0

Provided always, that no ad valorem duty shall be chargeable in respect of any *penal rent*, or increased rent in the nature of a penal rent, reserved in any such lease or tack as aforesaid.

LEASE.—Any assignment or surrender of a lease or tack upon any other occasion than a sale or mortgage—a duty equal to the ad valorem duty with which a similar lease or tack would be chargeable under this act.

Provided always, that where a similar lease or tack would be chargeable under this act with any stamp-duty amounting to 1*l.* 15*s.* or upwards, then such assignment or surrender shall be chargeable only with a duty of . . . £1 15 0

Provided also, that no stamp-duty, except the said ad valorem duty, shall be chargeable for or in respect of any lease, whether in possession, reversion, or remainder, expressed to be granted in consideration of the surrender of an existing lease and also of a sum of money.

And in all the said several cases of lease or tack, see "Progressive Duty."

MEMORIAL to be registered pursuant to any act of Parliament made or to be made for the public registering of deeds and conveyances in England or Ireland; that is to say—

For every piece of vellum, parchment, or paper upon which any such memorial shall be written £0 2 6

MORTGAGE, conditional surrender by way of mortgage, further charge, wadset, and heritable bond, disposition, assignation, or tack in security, and eik to a reversion, of or affecting any lands, estate, or property, real or personal, heritable or moveable, whatsoever:

Also any deed containing an obligation to infeft any person in an annual rent, or in lands or other heritable sub-

jects in Scotland, under a clause of reversion, but without any personal bond or obligation therein contained for payment of the money or stock intended to be secured:

Also any conveyance of any lands, estate, or property whatsoever, in trust to be sold or otherwise converted into money, which shall be intended only as a security, and shall be redeemable before the sale or other disposal thereof, either by express stipulation or otherwise, *except where such conveyance shall be made for the benefit of creditors generally, or for the benefit of creditors specified, who shall accept the provision made for payment of their debts in full satisfaction thereof, or who shall exceed five in number:*

Also any defeasance, letter of reversion, back bond, declaration, or other deed or writing for defeating or making redeemable or explaining or qualifying any conveyance, disposition, assignation, or tack of any lands, estate, or property whatsoever, which shall be apparently absolute, but intended only as a security:

Also any agreement, contract, or bond, accompanied with a deposit of title-deeds for making a mortgage, wadset, or any such other security or conveyance as aforesaid of any lands, estate, or property comprised in such title-deeds, or for pledging or charging the same as a security: And also any deed whereby a real burden shall be declared or created on lands or heritable subjects in Scotland:

Where the same respectively shall be made as a security for the payment of any *definite and certain* sum of money advanced or lent at the time, or previously due and owing, or forborne to be paid, being payable,

Not exceeding 50 <i>l.</i>	£0 1 3
Exceeding 50 <i>l.</i> and not exceeding 100 <i>l.</i>	0 2 6
Exceeding 100 <i>l.</i> and not exceeding 150 <i>l.</i>	0 3 9
Exceeding 150 <i>l.</i> and not exceeding 200 <i>l.</i>	0 5 0
Exceeding 200 <i>l.</i> and not exceeding 250 <i>l.</i>	0 6 3
Exceeding 250 <i>l.</i> and not exceeding 300 <i>l.</i>	0 7 6

And where the same shall exceed 300*l.*, then for every 100*l.* and also for any fractional part of 100*l.* 0 2 6

And where the same respectively shall be made as a security for the repayment of money to be *thereafter lent, advanced, or paid, or which may become due upon an account current*, together with any sum already advanced or due, or without, as the case may be, *other than and except any sum or sums of money to be advanced for the insurance of any property comprised in such mortgage or security against damage by fire, or to be advanced for the insurance of any life or lives, or for the renewal of any grant or lease upon the dropping of any life or lives, pursuant to any agreement in any deed whereby any estate or interest held upon such life or lives shall be granted, assigned, or assured, or whereby any annuity shall be granted or secured for such life or lives:*

If the total amount of the money secured or to be ultimately recoverable thereupon shall be limited not to exceed a given sum—the same duty as on a mortgage or wadset for such limited sum.

And if the total amount of the money secured or to be ultimately recoverable thereupon shall be *uncertain and without any limit*, then the same shall be available as a security or charge for such an amount only of money or stock intended to be thereby secured as the ad valorem duty denoted by any stamp or stamps thereon will extend to cover.

And where the same respectively shall be made as a security for the transfer or re-transfer of any share in any of the Government or Parliamentary stocks or funds, or in the stock and funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other company or corporation, in consideration of stock or money advanced or lent at the time, or previously due and owing, or forborne to be paid, being payable—the same duty as on a mortgage or wadset for a sum of money equal to the value of the stock or fund secured according to the average price thereof on the day of the date of the mortgage or other instrument aforesaid, or in either of the ten days preceding, or if there shall not have been any known sale on any of such days, then on the latest day preceding on which there shall have been a known sale.

MORTGAGE.—And where any such deed or instrument as aforesaid shall be made respectively as a security for the payment of any *rent-charge or annuity*, or any sum or sums of money by way of repayment, or in satisfaction or discharge, or in redemption of any sum of money lent, advanced, or paid, as or for or in the nature of a loan intended to be repaid, satisfied, discharged, or redeemed, in manner aforesaid—*the same duty as on a mortgage or wadset for the sum of money so lent, advanced, or paid.*

MORTGAGE.—Any transfer or assignment, disposition, or assignation of any mortgage or wadset, or of any such other security as aforesaid, or of the benefit thereof, or of the money or stock thereby secured;

Where no further sum of money or stock shall be added to the principal money or stock already secured,

If such principal money or stock already secured shall not exceed in amount or value in the whole the sum of 1400*l.*—*the same duty as on a mortgage or wadset for the total amount or value of such principal money or stock.*

And if such principal money or stock shall exceed in amount or value in the whole the sum of 1400*l.* £1 15 0

And where any further sum of money or stock shall be added to the principal money or stock already secured—*the same duty as on a mortgage or wadset for such further money or stock only.*

And in every other case not hereinbefore expressly provided for, such transfer, assignment, disposition, or assignation shall be chargeable with the duty of £1 15 0

Provided always, that no such deed or instrument as aforesaid shall in any of the said several cases be chargeable with any further or other duty than is herein expressly provided, (*except progressive duty*), by reason of its containing any further or additional security for the payment or transfer or re-transfer of such money or stock, or any interest or dividends thereon, or any new covenant, proviso, power, stipulation, or agreement, or other matter whatever in relation to such money or stock, or the interest or dividends thereon, or by reason of its containing all or any of such matters.

MORTGAGE.—Any deed or instrument made for the *further assurance* only of any estate or property which shall have been already mortgaged, pledged, or charged as a security, by any deed or instrument which shall have paid the ad valorem duty on mortgages or bonds chargeable under any act or acts in force at the time of making such last-mentioned deed or instrument:

Also any deed or instrument made as an *additional or further security* for any sum or sums of money, or any share or shares of any of the stocks or funds before mentioned, which shall have been already secured by any deed or instrument which shall have paid the said ad valorem duty on mortgages or bonds chargeable as aforesaid, shall be chargeable respectively with the following duties; that is to say—

Where the total amount or value of the money or stock already secured, and in respect whereof the said ad valorem duty shall have been paid, shall not exceed the sum of 1400*l.*—*the same duty as on a mortgage or wadset for the amount or value of the said money or stock.*

And in any other case £1 15 0

Provided always, that if any further sum of money or stock shall be added to the principal money or stock already secured, such deed or instrument for further assurance, or additional or further security, either by the mortgagor or by any person entitled to the property mortgaged by descent, devise, or bequest from such mortgagor, shall be chargeable only (*exclusive of progressive duty*) with the ad valorem duty on mortgages under this act, in respect of such further sum of money or stock in lieu of the duty aforesaid, notwithstanding that the same deed or instrument may also contain any covenant either by the mortgagor or by any person entitled as aforesaid, proviso, power, stipulation, or agreement, or other matter whatever in relation to the money or stock already secured, or the interest or dividends thereon.

MORTGAGE.—Any reconveyance, release, surrender, discharge, or renunciation of any mortgage or wadset, or of any other such security as aforesaid, or of the benefit thereof, or of the money or stock thereby secured;

Where the total amount of the principal money or stock at

any time secured shall not exceed the sum of 1400*l.*—*the same duty as on a mortgage or wadset for the amount or value of the said money or stock.*

And in any other case £1 15 0

And in all the said several cases of deeds and instruments chargeable under the head of "Mortgage," see "Progressive Duty."

PRECEPT of clare constat to give seisin of lands or other heritable subjects in Scotland. £0 5 0

And where the same shall contain 2160 words or upwards, then for every entire quantity of 1080 words contained therein over and above the first 1080 words, a further *progressive* duty of 0 5 10

PROGRESSIVE DUTY; that is to say;—Where any deed or instrument of any description whatever chargeable with any stamp-duty either under this schedule or under any other act or acts now in force, together with any schedule, receipt, or other matter put or indorsed thereon or annexed thereto, shall contain 2160 words or upwards, then for every entire quantity of 1080 words contained therein, over and above the first 1080 words, there shall be charged the further *progressive* duty following; that is to say—

Where such deed or instrument shall be chargeable with any ad valorem stamp-duty or duties not exceeding in the whole the sum of 10*s.*, a further *progressive* duty equal to the amount of such ad valorem duty or duties.

And in every other case (*except where any other progressive duty is by this Schedule expressly charged thereon*), a further *progressive* duty of £0 10 0

Provided always, that nothing herein contained shall extend to charge the said *progressive* duty in any case in which express provision is made by any such act or acts as aforesaid for charging a certain duty on every skin, sheet, or piece of vellum, parchment, or paper in or upon which any deed or instrument shall be contained or written, or to charge with *progressive* duty any description of deed or instrument not chargeable with *progressive* duty under any act or acts now in force, or to charge any deed or instrument with any higher rate or amount of *progressive* duty than is now chargeable on a deed or instrument of the like description under any such act or acts as aforesaid.

RESIGNATION.—Principal or original instrument of resignation, or service of cognition of heirs, or charter or seisin of any houses, lands, or other heritable subjects in Scotland holding burgh or of burghage tenure £0 5 0

Also instrument of resignation of any lands or other heritable subjects in Scotland not of burghage tenure 0 5 0

And where any of the said instruments shall contain 2160 words or upwards, then for every entire quantity of 1080 words contained therein over and above the first 1080 words, a further *progressive* duty of 0 5 0

SCHEDULE, inventory, or catalogue of any lands, hereditaments, or heritable subjects, or of any furniture, fixtures, or other goods or effects, or containing the terms and conditions of any proposed sale, lease, or tack, or the conditions and regulations for the cultivation or management of any farm lands or other property leased or agreed to be leased, or containing any other matter or matters of contract or stipulation whatsoever, *which shall be referred to in or by and be intended to be used or given in evidence as part of or as material to any agreement, lease, tack, bond, deed, or other instrument charged with any duty, but which shall be separate and distinct from and not indorsed on or annexed to such agreement, lease, tack, bond, deed, or other instrument*;

Where any such schedule, inventory, or catalogue shall be so referred to in or by any such agreement, lease, tack, bond, deed, or other instrument chargeable with any stamp-duty not exceeding 10*s.*, *exclusive of progressive duty*—*the same duty* (*exclusive of progressive duty*) *as shall be so chargeable on such agreement, lease, tack, bond, deed, or other instrument.*

And where any such schedule, inventory, or catalogue shall be referred to in or by any lease, tack, bond, deed, or such other instrument as aforesaid, chargeable with any stamp-duty exceeding 10*s.*, *exclusive of progressive duty* £0 10 0

And if in any of the said cases such schedule, inventory, or catalogue shall contain 2160 words or upwards, then for every entire quantity of 1080 words contained therein over and above the first 1080 words—a further progressive duty of the same amount as the duty hereinbefore charged thereon respectively.

SEISIN.—Instruments of seisin given upon any charter, precept of clare constat, or precept from Chancery, or upon any wadset, heritable bond, disposition, appraising, adjudication, or otherwise of any lands or heritable subjects in Scotland not of burghage tenure£0 5 0

And where the same shall contain 2160 words or upwards, then for every entire quantity of 1080 words contained therein over and above the first 1080 words, a further progressive duty of 0 5 0

SETTLEMENT.—Any deed or instrument, whether voluntary or gratuitous, or upon any good or valuable consideration other than a bona fide pecuniary consideration, whereby any definite and certain principal sum or sums of money, (whether charged or chargeable on lands or other hereditaments or heritable subjects, or not, or to be laid out in the purchase of lands or other hereditaments or heritable subjects, or not), or any definite and certain share or shares in any of the Government or Parliamentary stocks or funds, or in the stock and funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other company or corporation, shall be settled or agreed to be settled upon or for the benefit of any person or persons, either in possession or reversion, either absolutely, or for life or other partial interest, or in any other manner whatsoever;

If such sum or sums of money, or the value of such share or shares in all or any of the said stocks or funds, or of such one or more of the said articles as shall be so settled or agreed to be settled, or both such sum or sums of money and the value of one or more of such articles together, shall not exceed in the whole 100l.£0 5 0

And if the same shall exceed 100l., then for every 100l. and also for any fractional part of 100l. 0 5 0

And all deeds or instruments chargeable with the said ad valorem duty which shall also contain any settlement of lands or other property, or contain any other matter or thing besides the settlement of such money or stock, shall be chargeable with such further stamp-duty as any separate deed or instrument containing such settlement of lands or other property, or other matter or thing, would have been chargeable with, exclusive of the progressive duty.

And where there shall be more than one such deed or instrument for effecting any such settlement as aforesaid, chargeable with any such duty or duties exceeding 1l. 15s., one of them only shall be charged with the said ad valorem duty; and also where any settlement shall be made in pursuance of any previous articles chargeable with and which shall have paid any such duty or duties exceeding 1l. 15s., such last-mentioned settlement shall not be chargeable with the said ad valorem duty; and the said deeds and instruments respectively not chargeable with the said ad valorem duty shall be charged with the duty to which the same may be liable under any more general description in this Schedule, or in the Schedule annexed to the said act of the fifty-fifth year of the reign of King George III; and on the whole being produced, duly executed and duly stamped, as hereby required, the latter shall also be stamped with a particular stamp for denoting or testifying the payment of the said ad valorem duty.

And see "Progressive Duty."

WARRANT OF ATTORNEY (with or without a release of errors) to confess and enter up a judgment in any of her Majesty's courts at Westminster or in Ireland, or in any of the courts of the counties palatine of Lancaster and Durham, or in any other court of record holding pleas, where the debt or damage amounts to 40s., which shall be given as a security for the payment of any sum or sums of money, or for the transfer of any share or shares in any of the Government or Parliamentary stocks or funds, or in the stock and funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of

any other company or corporation—the same duty as on a bond for the like purpose.

Save and except where such payment or transfer shall be already secured by a bond, mortgage, or other security which shall have paid the proper ad valorem duty on bonds or mortgages imposed by law at the date thereof, exceeding in amount the sum of 5s.; and also except where the warrant of attorney shall be given for securing any sum or sums of money exceeding 200l. for which the person giving the same shall then be in actual custody under an arrest on meane process or in execution; and in those excepted cases a duty of£0 5 0

WARRANT OF ATTORNEY not otherwise charged in this Schedule 1 15 0

CAP. XCVIII.

An Act to amend the Law relating to the holding of Benefices in Plurality. [14th August, 1850.]

CAP. XCIX.

An Act for the better assessing and collecting the Poor-rates and Highway-rates in Respect of Small Tenements. [14th August, 1850.]

(To be continued).

London Gazette.

TUESDAY, OCTOBER 15.

BANKRUPTS.

THOMAS WESLEY, Newport Pagnel, Buckinghamshire, hotel keeper, Oct. 29 at 1, and Nov. 28 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Pooley & Co., 1, Lincoln's-inn-fields.—Petition dated Oct. 14.

HENRY POOLEY, Wisbeach St. Peter's, Cambridgeshire, carpenter, Oct. 23 at 11, and Nov. 26 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Metcalf the younger, Wisbeach; R. M. & C. Baxter, 48, Lincoln's-inn-fields.—Petition filed Oct. 15.

THOMAS DALBY, Hythe, Kent, builder, dealer and chapman, Oct. 23 at 1, and Nov. 26 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Reed & Co., Friday-street, Cheapside, London.—Petition filed Oct. 11.

WILLIAM HENRY BOON, Plymouth, Devonshire, ironmonger, dealer and chapman, Nov. 7 and Dec. 5 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Herniman; Sols. Edmunds & Sons, Plymouth; Stogdon, Exeter.—Petition filed Oct. 11.

MEETINGS.

Sarah Day, Coventry, ribbon manufacturer, Nov. 2 at 11, District Court of Bankruptcy, Birmingham, last ex.—**Ralph Hammond**, Macclesfield, Cheshire, innkeeper, Oct. 25 at 12, District Court of Bankruptcy, Manchester, aud. ac.—**Edward Evans**, Dorking, Surrey, stonemason, Nov. 6 at 12, Court of Bankruptcy, London, div.—**Edward Ground**, Wisbeach and Parson-drove, Cambridgeshire, draper, Nov. 6 at half-past 11, Court of Bankruptcy, London, div.—**Augustus Frederick Hemming**, Chiswell-street, Finsbury, Middlesex, elastic surgical instrument maker, Nov. 8 at half-past 1, Court of Bankruptcy, London, div.—**James Kaye**, Bridge-row-wharf, Finsbury, Middlesex, coal merchant, Nov. 5 at half-past 12, Court of Bankruptcy, London, div.—**Edward Foster**, Chesterton, Cambridgeshire, agricultural machinist, Nov. 5 at half-past 11, Court of Bankruptcy, London, div.—**Thomas Sweeten**, Ipswich, Suffolk, tailor, Nov. 8 at 12, Court of Bankruptcy, London, div.—**Richard Leach**, Newmarket, Suffolk, milk, Nov. 8 at half-past 1, Court of Bankruptcy, London, div.—**James Henry Gill**, Plumber's-row, City-road, Middlesex, grocer, Nov. 8 at 11, Court of Bankruptcy, London, pr. d.—**Edmund Maude**, **William Henry Jones**, **George Maude**, and **William Aspin**, Northfleet, Kent, Portland cement manufacturers, Nov. 5 at half-past 12, Court of Bankruptcy, London, div.—**William Hodgkinson**, Weston-street, Pentonville, Middlesex, slater, Nov. 5 at 12, Court of Bankruptcy, London, div.—**William Hoole** and **John Lockyer**, St. James-walk, Clerkenwell, Middlesex, metal-tool merchants, Nov. 1 at 2, Court of Bankruptcy, London, div.—**Samuel Baskill**,

Edward-street, Langham-place, St. Marylebone, Middlesex, cabinet maker, Nov. 7 at 12, Court of Bankruptcy, London, div.—*Geo. Evans Baker*, Broadway, Deptford, Kent, grocer, and Union-row, High-street, Camberwell, milliner, Nov. 5 at half-past 11, Court of Bankruptcy, London, div.—*William Freeman*, Edgeware-road, Middlesex, licensed victualler, Nov. 5 at 11, Court of Bankruptcy, London, div.—*John Sewell Gowing*, Swaffham, Norfolk, bookseller, Nov. 7 at 11, Court of Bankruptcy, London, div.—*John Ward*, Bishopsgate-street Within, London, chemist, Nov. 5 at 12, Court of Bankruptcy, London, div.—*Nelson John Holloway*, Minorics, London, clock manufacturer, Nov. 7 at half-past 11, Court of Bankruptcy, London, div.—*John Fenton*, Avery-row, Bond-street, Middlesex, baker, Nov. 5 at half-past 12, Court of Bankruptcy, London, div.—*John Hardinge Veitch*, Durham, printer, Nov. 7 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*George Hornsby and Robert Porter Mould*, Newcastle-upon-Tyne, builders, Nov. 7 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Hen. Clarke*, Liverpool, merchant, Nov. 8 at 11, District Court of Bankruptcy, Liverpool, div.—*David Lees*, Wednesbury, Staffordshire, coach-step manufacturer, Nov. 4 at 11, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. J. Buck, Shrubland-cottages, Queen's-road, Dalston, Middlesex, dealer and chapman, Nov. 7 at 1, Court of Bankruptcy, London.—*John Taylor*, High-street, Shadwell, and Salmon's-lane, Limehouse, Middlesex, cheesemonger, Nov. 7 at 11, Court of Bankruptcy, London.—*Thomas Tappenden*, Friendly-place, Old Kent-road, Surrey, tailor, Nov. 7 at half-past 11, Court of Bankruptcy, London.—*Thomas Binches*, Brunswick-place, Blackheath, Kent, dealer in Berlin wools, Nov. 5 at 12, Court of Bankruptcy, London.—*James Gillet Beach*, Beresford-street, Woolwich, Kent, licensed victualler, Nov. 6 at 11, Court of Bankruptcy, London.—*L. Congdon*, Spring-street, Paddington, Middlesex, painter, Nov. 6 at 12, Court of Bankruptcy, London.—*Owen Gray*, Great Tower-street, London, builder, Nov. 6 at 1, Court of Bankruptcy, London.—*Robert Barnard*, Carnaby-street, Golden-square, Middlesex, oilman, Nov. 6 at 11, Court of Bankruptcy, London.—*Fred. Mountford*, Greenwich, Kent, stationer, Nov. 12 at 2, Court of Bankruptcy, London.—*P. A. Black*, Liverpool, general broker, Nov. 8 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Tyther*, Birmingham, tallow chandler, Nov. 7 at 12, District Court of Bankruptcy, Birmingham.—*Joseph Kirkland*, Stockport, Cheshire, joiner, Nov. 6 at 12, District Court of Bankruptcy, Manchester.—*John Hartley*, Bury, Lancashire, machine maker, Nov. 7 at 12, District Court of Bankruptcy, Manchester.—*John Gray and Robt. Williams*, Chester, engineers, Nov. 6 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Wm. Murdock, Bristol, draper.—*Benj. Brown*, Newtown, Montgomeryshire, coach builder.—*T. B. Bourne*, Liverpool, cotton broker.—*G. Holmes and H. Holmes*, Derby, ironmongers.—*Clement Pretty*, Leicester, grocer.—*John Welch*, Ashby-de-la-Zouch, Leicestershire, draper.

PARTNERSHIP DISSOLVED.

Percival Walsh and Gorden Dayman, Oxford, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Andrew Bisset and Geo. M. Whitehead, Edinburgh, leather merchants.—*Peter Anderson*, Auchmull, Newhills, Aberdeenshire, builder.—*John Murray*, Glasgow, lace merchant.—*A. Stevenson*, Glasgow, aerated water manufacturer.—*Jas. Ross Tertius*, Tain, spirit dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edw. Jewitt the younger, York, butcher, Oct. 26 at 10, County Court of Yorkshire, at York.—*Benjamin Shepherd*, York, butcher's assistant, Oct. 26 at 10, County Court of Yorkshire, at York.—*E. G. Strange*, Southampton, plumber, Oct. 26 at 10, County Court of Hampshire, at Southampton.—*Robert Playford*, Southampton, innkeeper, Oct. 26 at 10,

County Court of Hampshire, at Southampton.—*John J. Price*, Swansea, Glamorganshire, farmer, Oct. 18 at 10, County Court of Glamorganshire, at Swansea.—*Jos. Mailland*, Colchester, Essex, market gardener, Oct. 28 at 12, County Court of Essex, at Colchester.—*A. W. Low*, Hadleigh, Essex, out of business, Oct. 25 at 12, County Court of Essex, at Rochford.

Saturday, Oct. 12.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Thomas Brown, Edgeware-road, Marylebone, Middlesex, furnishing undertaker, No. 61,652 T.; *James John Bennicke*, assignee.—*Benjamin Oliver*, Riley-st., St. Luke's, Chelsea, Middlesex, licensed victualler, No. 61,720 T.; *Thos. Edward Williams*, assignee.—*Henry Kerrison*, Bath-place, Caledonian-road, Islington, Middlesex, carpenter, No. 61,771 T.; *James Baker*, assignee.—*James Smith*, Seven Step-court, Bethnal-green, Middlesex, labourer, No. 61,809 T.; *James Hayslem*, assignee.—*Wm. Firth*, Yeadon, near Leeds, Yorkshire, linendraper, No. 72,435 C.; *John Firth*, assignee.—*Edna Green*, Birmingham, corn dealer, No. 72,560 C.; *John Green*, assignee.—*Richard Outthwaite*, Hipplin, near Catterick, Yorkshire, farmer, No. 72,697 C.; *Christopher Other*, assignee.—*Edmund Paim*, Sollers Hope, Herefordshire, farmer, No. 72,713 C.; *Thomas S. Watts*, assignee.—*George Miller Bailly*, Liverpool, assistant to a grocer, No. 72,763 C.; *Wm. Davis*, assignee.—*Jos. Matthew*, Middleton, near Manchester, cotton yarn dresser, No. 72,774 C.; *Abel Saxon*, assignee.—*John Winch*, Dunt-lane, Farm Hurst, Berkshire, farmer, No. 72,787 C.; *John Hartry*, assignee.—*Ann James*, Tiddensham, Gloucestershire, in no business, No. 72,837 C.; *Joseph Gibbs Duffett*, assignee.—*Geo. Reistrick*, Pudsey, near Leeds, Yorkshire, woollen cloth manufacturer, No. 72,906 C.; *William Elsworth*, assignee.

Saturday, Oct. 12.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Hen. Neuber, New Oxford-st., Middlesex, liquid glue maker: in the Debtors Prison for London and Middlesex.—*Philip Delfosse*, Cranmer-place, Waterloo-bridge-road, Surrey, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*George Spiller*, Brompton-row, Knightsbridge, Middlesex, major in the army, retired: in the Debtors Prison for London and Middlesex.—*George Gilbert Nash*, Princes-st., St. Ann's, Soho, Middlesex, dealer in furniture: in the Queen's Prison.—*Joseph Sear*, Globe-cottage, Russialane, Victoria-park, Middlesex, refining powder manufacturer: in the Debtors Prison for London and Middlesex.—*Joseph Ancona*, Margate, Kent, grocer: in the Debtors Prison for London and Middlesex.—*Adam Giffellan*, Burney-st., Greenwich, Kent, linendraper: in the Queen's Prison.—*James Henry Hance*, Southwark-bridge-road, Surrey, army agent: in the Queen's Prison.—*Henry Adolphus Rigley*, St. Anne's-road, Brixton-road, Surrey, attorney-at-law: in the Queen's Prison.—*John Martin*, Mary-st., Hoxton Old-town, Middlesex, surgeon: in the Debtors Prison for London and Middlesex.—*Joseph Dickson*, Lower Sussex-place, Old Kent-road, Surrey, auctioneer: in the Debtors Prison for London and Middlesex.—*Charles Worssam*, Commercial Wharf, Kingland-road, Middlesex, mill sawyer: in the Debtors Prison for London and Middlesex.—*William Henry Mayo*, Manchester, grocer and corn dealer: in the Gaol of Lancaster.—*William Boden*, Ashted, Warwickshire, licensed victualler: in the Gaol of Coventry.—*Jonas Harrop*, Sutton, Macclesfield, Cheshire, silk dyer: in the Gaol of Chester.—*Robert Tinsley*, Salford, Lancashire, silk dyer: in the Gaol of Lancaster.—*Wm. Broad*, New Brighton, Cheshire, corn dealer: in the Gaol of Chester.—*Edward Larkin*, Hulme, Manchester, mechanic: in the Gaol of Lancaster.—*George Gambier*, Salford, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*Samuel Wagstaff*, Treals, near Kirkham, Lancashire, grocer: in the Gaol of Lancaster.—*William Wood*, Cheetham and Manchester, engraver: in the Gaol of Lancaster.—*Daniel Massey*, Salford, Lancashire, baker: in the Gaol of Lancaster.—*Charles D. Balbernie*, Liverpool, master mariner: in the Gaol of Lancaster.—*Thomas Parkinson*, Manchester, horse dealer: in the Gaol of Lancaster.—*Wm. Trevor*, Birmingham, retail brewer: in the Gaol of Coventry.—*Sarah*

Read, widow, Portland, Dorsetshire, in no trade: in the Gaol of Dorchester.—*William Adams*, Redditch, Worcestershire, dealer in needles: in the Gaol of Coventry.—*William James Featherstone*, Napton-fields, near Southam, Warwickshire, licensed victualler: in the Gaol of Coventry.—*Charles Mason*, Stanstead Abbots, Hertfordshire, cordwainer: in the Gaol of Hertford.—*John Flack*, Ware, Hertfordshire, in no trade: in the Gaol of Hertford.—*Thomas Potter*, Park-st., Camberwell, Surrey, in no business: in the Queen's Prison.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, Oct. 30.

Joseph Brooks, Birmingham, cordwainer.—*Alfred Simms*, Birmingham, cigar manufacturer.—*Richard Hood*, Meaney, Sutton Coldfield, labourer.—*Wm. Boden*, Birmingham, retail brewer.—*Wm. J. Featherstone*, Napton-fields, near Southam, out of business.—*Wm. Trevor*, Birmingham, out of business.—*Wm. Adams*, Redditch, Worcestershire, retail brewer.

At the County Court of Hertfordshire, at HERTFORD, Oct. 31.

John Flack, Ware, following no trade.—*Charles Mason*, Stanstead Abbots, cordwainer.

At the County Court of Devonshire, at EXETER, Nov. 2 at 10.

John Hooper, Holcombe Rogus, farmer.

At the County Court of Gloucestershire, at BRISTOL, Nov. 6 at 11.

Adjourned Case.

Thomas Lee, Bath, licensed victualler.

INSOLVENT DEBTOR'S DIVIDEND.

Wm. Mathews, Grove-end-road, Marylebone, Middlesex, coal dealer, at Slack's, 10, Union-st., Hill-st., Berkeley-sq.: 3s. 11d. in the pound.

FRIDAY, OCTOBER 18.

BANKRUPTS.

WILLIAM PIGGOTT, Great Eversden, Cambridgeshire, general-shop keeper and corn factor, dealer and chapman, Nov. 1 at 1, and Dec. 3 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. J. & C. Cole, 4, Adelphi-terrace, Strand.—Petition filed Oct. 16.

BENJAMIN TEBBIT, Ventnor, Isle of Wight, Southampton, draper, dealer and chapman, Oct. 25 at half-past 12, and Nov. 29 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Hardwick & Davidson, 22, Basinghall-st., London.—Petition filed Oct. 11.

JONAS CLARK, Soham, Cambridgeshire, dealer in flour, Oct. 25 at half-past 11, and Nov. 29 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Wilkin, 8, Furnival's-inn, Holborn.—Petition filed Oct. 15.

WILLIAM FORD, High Holborn, Middlesex, haberdasher, dealer and chapman, Oct. 25 at 1, and Nov. 28 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Messrs. Linklater, Charlotte-row, Mansion-house.—Petition dated Oct. 14.

CHARLES JONES, Llanfyllin, Montgomeryshire, grocer, draper, dealer and chapman, Nov. 4 and 19 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Smith, Birmingham; Pemberton, Liverpool.—Petition filed Oct. 4.

JAMES FIELDING, of Higher Ardwick, Manchester, but late of Middleton, Lancashire, provision dealer and grocer, Oct. 31 and Nov. 21 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Whitehead & Sons, Rochdale.—Petition filed Oct. 1.

MEETINGS.

Joseph Jardine, Dartford, Kent, linen-draper, Nov. 14 at 1, Court of Bankruptcy, London, pr. d.—*Edward Parratt*, Park Village West, Regent's-park, Middlesex, advertising agent, Oct. 30 at 11, Court of Bankruptcy, London, and ac.—*George John Robins*, Ilford, Essex, victualler, Nov. 2 at 11, Court of Bankruptcy, London, and ac.—*John F. Kemp*, Uxbridge, Middlesex, grocer, Nov. 6 at half-past 12, Court of Bankruptcy, London, and ac.; Nov. 12 at half-past 11, div.

—*Daniel Mallett*, College-street, Belvedere-road, Lambeth, Surrey, lighterman, Nov. 8 at 1, Court of Bankruptcy, London, and ac.; Nov. 12 at 11, div.—*E. A. Peakome*, Princes-street, Cavendish-square, Middlesex, saddler, Nov. 5 at 11, Court of Bankruptcy, London, and ac.—*A. F. Hemming*, Chiswell-street, Finsbury, Middlesex, elastic surgical instrument maker, Nov. 6 at 11, Court of Bankruptcy, London, and ac.—*Edward Evans*, Dorking, Surrey, stonemason, Nov. 4 at 11, Court of Bankruptcy, London, and ac.—*Saml. W. Rickman*, Hailsham, Sussex, innkeeper, Nov. 2 at 11, Court of Bankruptcy, London, and ac.—*Rich. Leach*, Newmarket, Suffolk, tailor, Nov. 6 at half-past 12, Court of Bankruptcy, London, and ac.—*Edward Hoile* and *Joseph Worsfor*, Battersea, Surrey, manufacturing chemists, Nov. 6 at half-past 11, Court of Bankruptcy, London, and ac.—*Robert Thompson*, Hope-terrace, Notting-hill, Middlesex, builder, Nov. 4 at 12, Court of Bankruptcy, London, and ac.—*R. Good*, Bishopsgate-street Without, London, stationer, Nov. 2 at half-past 11, Court of Bankruptcy, London, and ac.—*Chas. M. Collett*, Hammersmith, Middlesex, attorney, Nov. 2 at 11, Court of Bankruptcy, London, and ac.—*Thomas Sweeton*, Ipswich, Suffolk, tailor, Nov. 5 at 11, Court of Bankruptcy, London, and ac.—*Edward Foster*, Chesterton, Cambridgeshire, agricultural machinist, Nov. 4 at half-past 1, Court of Bankruptcy, London, and ac.—*James Kaye*, Bridge-row-wharf, Pimlico, Middlesex, coal merchant, Nov. 2 at 12, Court of Bankruptcy, London, and ac.—*James H. Gill*, Plumber's-row, City-road, Middlesex, grocer, Nov. 4 at 11, Court of Bankruptcy, London, and ac.—*Edward Ground*, Wisbeach and Parson-drove, Cambridgeshire, draper, Nov. 1 at 2, Court of Bankruptcy, London, and ac.—*James Hiley*, South-street, Finsbury, Middlesex, private boarding-house keeper, Nov. 1 at half-past 1, Court of Bankruptcy, London, and ac.—*Geo. Thorneloe*, High-street, Poplar, Middlesex, grocer, Nov. 2 at half-past 11, Court of Bankruptcy, London, and ac.—*John Reay* the younger and *Henry Reay*, Mark-lane, London, wine merchants, Nov. 5 at 2, Court of Bankruptcy, London, and ac. sep. est. of *H. Reay*; Nov. 14 at 12, div.—*Robt. Wm. Samson*, Essex-wharf, Strand, Middlesex, coal merchant, Nov. 18 at 12, Court of Bankruptcy, London, and ac.—*George Rackham*, Little Yarmouth, Suffolk, wine merchant, Nov. 18 at 11, Court of Bankruptcy, London, and ac.—*Patrick Cruickshank*, *John Melville*, and *William Fennell*, *Street*, Austin-friars, London, merchants, Nov. 8 at 1, Court of Bankruptcy, London, and ac. sep. est. of *P. Cruickshank*; Nov. 13 at 1, div.—*Frederick Mountford*, Greenwich, Kent, stationer, Nov. 12 at 2, Court of Bankruptcy, London, and ac.—*Joseph Miller*, Stockton-on-Tees, and *George Craddock*, Darlington, Durham, rope manufacturers, Nov. 14 at 11, Court of Bankruptcy, London, and ac. sep. est. of *Joseph Miller*; Nov. 18 at 11, div.—*Asher Prior* and *William Prior*, Tonbridge-place, New-road, Middlesex, ironmongers, Nov. 12 at 2, Court of Bankruptcy, London, and ac.—*William Pownall*, Macclesfield, Cheshire, silk manufacturer, Nov. 14 at 11, Court of Bankruptcy, London, and ac.—*John Prentice*, Oxford, ironmonger, Nov. 14 at 12, Court of Bankruptcy, London, and ac.—*Joseph Moore*, Hanover-st., Islington, Middlesex, victualler, Nov. 5 at 11, Court of Bankruptcy, London, and ac.—*Burrows W. A. Sleight*, Bedford-st., Strand, Middlesex, printer, Nov. 12 at 11, Court of Bankruptcy, London, and ac.—*S. Nicholson*, York, wholesale chemist, Oct. 28 at 12, District Court of Bankruptcy, Leeds, and ac.; Nov. 11 at 12, div.—*George Hornsby* and *Robert Porter Mould*, Newcastle-upon-Tyne, builders, Nov. 7 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—*Sampson Langdale* the elder and *Sampson Langdale* the younger, Stockton-upon-Tees, Durham, and Yarm, Yorkshire, corn dealers, Nov. 14 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.; Nov. 15 at 12, div.—*Theodore N. Benard*, Newcastle-upon-Tyne, merchant, Nov. 14 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.; Nov. 15 at 11, fin. div.—*John Potts*, New Mills, Derbyshire, engraver to calico printers, Nov. 7 at 12, District Court of Bankruptcy, Manchester, and ac.; Nov. 8 at 12, div.—*Thomas S. Browne*, Manchester, patent agent, Oct. 31 at 12, District Court of Bankruptcy, Manchester, and ac.—*Mary Bell Shollbred*, widow, Manchester, cotton manufacturer, Nov. 5 at 12, District Court of Bankruptcy, Manchester, and ac.; Nov. 12 at 12, fin. div.—*James Burt* and *James Burt* the younger, Manchester, and *Wm. T. Watson*, Leeds, Yorkshire, commission

gents, Nov. 5 at 12, District Court of Bankruptcy, Manchester, and. ac.; Nov. 11 at 12, div.—*Edward Williams* and *John Williams*, Dudley, Worcestershire, millers, Nov. 2 at 1, District Court of Bankruptcy, Birmingham, and. ac.—*Joseph Shepherd* and *Benjamin Shepherd*, Exeter, wine merchants, Nov. 13 at 11, District Court of Bankruptcy, Exeter, and. ac.; Nov. 20 at 11, div.—*Thos. Floud*, Exeter, banker, Nov. 6 at 1, District Court of Bankruptcy, Exeter, and. ac.—*Walter Prideaux*, *John Square*, and *Walter Prideaux* the younger, Kingsbridge, Devonshire, bankers, Nov. 6 at 1, District Court of Bankruptcy, Exeter, and. ac.; Nov. 20 at 1, div.—*John Goss*, Devonport, Devonshire, draper, Nov. 7 at 11, District Court of Bankruptcy, Exeter, and. ac.—*Henry Lowcock*, Thorverton, Devonshire, dealer in artificial manures, Nov. 6 at 1, District Court of Bankruptcy, Exeter, and. ac.; Nov. 13 at 11, div.—*John Dickins* and *John Warrick*, Plymouth, Devonshire, earthenware dealers, Nov. 7 at 11, District Court of Bankruptcy, Exeter, and. ac.—*John H. Hill*, Tynmouth, Devonshire, veterinary surgeon, Nov. 7 at 11, District Court of Bankruptcy, Exeter, and. ac.—*William Waunder*, Peel-place, Kensington Gravel-pits, Middlesex, baker, Nov. 8 at half-past 12, Court of Bankruptcy, London, div.—*Charles Wetherill*, Down-street, Piccadilly, Middlesex, rummager, Nov. 8 at 11, Court of Bankruptcy, London, div.—*Wm. Sheward*, Norwich, pawnbroker, Nov. 8 at 12, Court of Bankruptcy, London, div.—*Anthony E. Corvass*, Hampstead-road and Lisson-grove, Middlesex, baker, Nov. 9 at 12, Court of Bankruptcy, London, div.—*John Baker*, Beltenham and Gloucester, Gloucestershire, shoe manufacturer, Nov. 8 at 11, Court of Bankruptcy, London, div.—*John Card*, Dilton, Westbury, Wiltshire, miller, Nov. 12 at 2, Court of Bankruptcy, London, div.—*John T. Uddell*, Exbury, Southampton, brickmaker, Nov. 12 at half-past 11, Court of Bankruptcy, London, div.—*Matthew Potter*, New Bond-street, Middlesex, haberdasher, Nov. 15 at 12, Court of Bankruptcy, London, div.—*Rich. Lane*, Lisson-grove North, Middlesex, corn dealer, Nov. 15 at 12, Court of Bankruptcy, London, div.—*Stephen Wise*, Conduit-st. South, Paddington, Middlesex, plumber, Nov. 15 at 1, Court of Bankruptcy, London, div.—*Hall Kerr*, Mulgrave-place, Woolwich, Kent, sailor, Nov. 15 at 1, Court of Bankruptcy, London, div.—*John E. New* and *Frederick New*, High-st., Aldgate, London, tationers, Nov. 18 at 1, Court of Bankruptcy, London, div.—*John Arnett*, St. Dunstan's-hill, London, Custom House agent, Nov. 13 at 11, Court of Bankruptcy, London, div.—*Wm. Day* and *Thos. Day*, Gracechurch-st., London, oilmen, Nov. 14 at 2, Court of Bankruptcy, London, div.—*Adolphus Dickler*, Soho-square, Middlesex, bookseller, Nov. 18 at 2, Court of Bankruptcy, London, div.—*George Wyatt* and *Henry Thompson*, Portpool-lane, Gray's-inn-lane, Middlesex, brewers, Nov. 13 at 12, Court of Bankruptcy, London, fin. div. sep. est. of *Henry Thompson*.—*Wm. Buddle*, Irongate-hart, Paddington, timber merchant and saw-mill proprietor, Nov. 13 at 2, Court of Bankruptcy, London, div.—*Frederick Devey*, Whitefriars, London, coal merchant, Nov. 4 at 2, Court of Bankruptcy, London, div.—*Wm. Bromley*, Wincobill, Burton-upon-Trent, Derbyshire, tape manufacturer, Nov. 15 at 11, District Court of Bankruptcy, Nottingham, and. ac. and div.—*William Darling Hay*, Newcastle-upon-Tyne, biscuit-baker, Nov. 14 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*John Row*, Torrington, Devonshire, chemist, Nov. 12 at 11, District Court of Bankruptcy, Exeter, div.—*Richard Thomas*, Bridgwater, Somersetshire, coal merchant, Nov. 12 at 11, District Court of Bankruptcy, Exeter, div.—*Joseph Culverwell Brown*, Taunton, Somersetshire, draper, Nov. 13 at 11, District Court of Bankruptcy, Exeter, div.—*Ralph Hammond*, Macclesfield, Cheshire, innkeeper, Nov. 14 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

to be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Daniel Mallett, College-street, Belvedere-road, Lambeth, Surrey, lighterman, Nov. 8 at 1, Court of Bankruptcy, London. *Frederick Bennett*, Clapham-rise, Clapham, Surrey, soda-water manufacturer, Nov. 12 at 12, Court of Bankruptcy, London. *James Hiddle*, Bishopsgate-street Without, London, and colourman, Nov. 12 at half-past 12, Court of Bankruptcy, London. *Thomas William Dornford*, Suffolk-lane, Monmouth-street, London, wine merchant, Nov. 12 at half-past

11, Court of Bankruptcy, London.—*Samuel Taylor*, Staines, Middlesex, grocer, Nov. 8 at 12, Court of Bankruptcy, London.—*Charles Garlick*, Charterhouse-square, Middlesex, Manchester warehouseman, Nov. 8 at 1, Court of Bankruptcy, London.—*John Tomlin*, Finchley-common, Middlesex, licensed victualler, Nov. 8 at half-past 1, Court of Bankruptcy, London.—*George Wolland Tucker*, Tottenham-court-road, Middlesex, furrier, Nov. 12 at 12, Court of Bankruptcy, London.—*George Kyrke*, Bryn Malley, Wrexham, Denbighshire, lime-burner, Nov. 11 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Wm. Steane, Wellingborough, Northamptonshire, grocer.—*Daniel Holtum* the elder and *Daniel Holtum* the younger, Westbere, near Canterbury, Kent, carpenters.—*John Wright*, Northampton, coal merchant.—*Thomas Bailey*, Gloucester, saddler.—*Samuel Nicholson*, York, chemist.—*Joshua Garsed* the elder and *Joshua Garsed* the younger, Leeds, Yorkshire, flax manufacturers.—*John Robinson* and *Edward Moore*, Alverthorpe-with-Thornes, Wakefield, Yorkshire, spinners.

PARTNERSHIP DISSOLVED.

Arthur Mani and *George Lear*, Storrington, Sussex, attorneys-at-law.

SCOTCH SEQUESTRATIONS.

David M'Grigor, Aberdona Mains, near Alloa, farmer.—*Donald Macdougall*, Port Ellen, Islay, innkeeper.—*James Morrison*, Perth, grain dealer.—*James Clark*, Glasgow, railway commission agent.—*James Black*, Glasgow, inspector of weights and measures.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Saml. Ramsbottom, Higher Summerseat, Bury, Lancashire, winder-on for power-looms, Nov. 6 at 11, County Court of Lancashire, at Bury.—*Samuel Horn*, High Flatts, Denby, Penistone, Yorkshire, fancy weaver, Nov. 1 at 12, County Court of Yorkshire, at Barnsley.—*Richard John Guernsey Young*, Bridestowe, Devonshire, innkeeper, Nov. 1 at 11, County Court of Devonshire, at Oakhampton.—*George Port Carter*, Norwich, out of business, Nov. 4 at 10, County Court of Norfolk, at Norwich.—*John Cooper*, Stoke, Stoke-upon-Trent, Staffordshire, engraver, Oct. 24 at 10, County Court of Staffordshire, at Hanley.—*William Maddock*, New Radford, Nottinghamshire, lacemaker, Nov. 7 at 9, County Court of Nottinghamshire, at Nottingham.—*William Holland*, Lincoln, coach painter, Nov. 11 at 10, County Court of Lincolnshire, at Lincoln.—*Edward Goddard* the elder, Nottingham, baker, Nov. 7 at 9, County Court of Nottinghamshire, at Nottingham.—*Alexander Pritchard*, Mansfield, Nottinghamshire, tinman, Nov. 5 at 9, County Court of Nottinghamshire, at Mansfield.—*John Payling*, Lambley, Nottinghamshire, miller, Nov. 7 at 9, County Court of Nottinghamshire, at Nottingham.—*T. Lee*, Selborne, Southampton, cordwainer, Nov. 16 at 11, County Court of Hampshire, at Alton.—*J. Gibson*, Bedminster, Bristol, draper, Nov. 6 at 11, County Court of Gloucestershire, at Bristol.—*Frederick Bayley*, Ramsgate, Kent, bricklayer, Oct. 26 at 10, County Court of Kent, at Ramsgate.—*Wm. Woodward*, Brighton, Sussex, builder, Oct. 25 at 12, County Court of Sussex, at Brighton.—*Thomas Connolly*, Sheffield, Yorkshire, out of business, Nov. 6 at 12, County Court of Yorkshire, at Sheffield.—*Wm. Symons*, Bedminster, Bristol, baker, Oct. 30 at 11, County Court of Gloucestershire, at Bristol.—*J. Wm. Reynolds*, Brighton, Sussex, out of business, Nov. 8 at 12, County Court of Sussex, at Brighton.—*John Stickels*, Margate, Kent, baker, Oct. 25 at 11, County Court of Kent, at Margate.—*William Wright*, Ramsgate, Kent, baker, Oct. 26 at 10, County Court of Kent, at Ramsgate.—*Henry Cox*, Exeter, Devonshire, attorney's clerk, Nov. 9 at 10, County Court of Devonshire, at Exeter.—*Chas. Seear*, Clifton-place, New North-st., Finsbury, Middlesex, out of business, Nov. 8 at 11, County Court of Gloucestershire, at Newnham.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 1 at 11, before the CHIEF COMMISSIONER.

Robert Thomas Forrest, Sawby-place, Windmill-st., Brixton, Surrey, bricklayer.—*William Salmon*, Molyneux-street, Queen-st., Edgeware-road, Middlesex, out of business.—*Jas.*

Stride, Oxford-terrace, King's-road, Chelsea, Middlesex, coal merchant.—*James Smith*, Seven Step-court, Bethnal-green, Middlesex, labourer.—*Christopher Mudie*, Hungerford-market, Middlesex, fishmonger.—*Stephen Saunders*, Bryanstone-st., Portman-square, Marylebone, Middlesex, grocer.—*John Lake*, Barking, Essex, shoemaker.—*Henry Ris*, Peacock-terrace, Walworth-common, Surrey, coal merchant.

Nov. 1 at 10, before Mr. Commissioner LAW.

Joseph Stammers, Duke-st., Bloomsbury, Middlesex, out of business.—*Joseph Aguilar*, Wellington-place, East-lane, Walworth, Surrey, accountant.—*James Wingfield*, Type-st., Finsbury, Middlesex, out of business.—*John Day*, King-st., Soho, Middlesex, assistant to an eating-house keeper.—*John Peckett*, Charles-st., Hatton-garden, Middlesex, commercial traveller.—*Edwin Jones*, Hornsey Nursery, Middlesex, nurseryman.—*Elias Eastway*, Old Dorset-place, Clapham-road, Surrey, smith.—*Thomas Sandon Hack*, Cecil-street, Strand, Middlesex, in no profession.

Nov. 1 at 11, before Mr. Commissioner PHILLIPS.

Charles Tallent, Borough-road, Southwark, Surrey, pianoforte dealer.—*George Hammond*, Great Suffolk-st., Southwark, Surrey, carman.—*Fred. Wm. Gerhard*, Princes-street, Cadogan-street, Chelsea, Middlesex, out of business.—*John Milroy Hutchison*, Leaverian-cottage, Commercial-road, Peckham, Surrey, clerk to a patent agent.—*Isaac Worley* the younger, Webb's County-terrace, New Kent-road, Newington, Surrey, tailor.—*Saml. Beswick*, Pingsworth-cottages, Black-road, Hammersmith, Middlesex, builder.—*Reuben Joseph Rawson*, Stratford, Essex, accountant-general.—*Philip le Capelain*, Ampton-place, Ampton-st., Gray's-inn-road, Middlesex, patent agent.

Nov. 4 at 11, before the CHIEF COMMISSIONER.

George Spiller, Brompton-road, Middlesex, retired major in her Majesty's Royal Artillery.—*Joseph Ancona*, Margate, Kent, not following any occupation.—*Richard Lawrence*, Queen-st., Hammersmith, Middlesex, carman.—*John Stedman*, Great Tower-st., London, ship commission agent.

Nov. 4 at 10, before Mr. Commissioner LAW.

A. Kortright, Wilson-st., Limehouse, Middlesex, half-pay lieutenant in the Royal Navy.—*John Northcroft*, Chancery-lane, Middlesex, law writer.—*Geo. Gilbert Nash*, Princes-st., Soho, Middlesex, dealer in furniture.

Nov. 1 at 11, before Mr. Commissioner HARRIS.

Adjourned Case.

Henry Edward Suckling, Middleton-terrace, Queen's-road, Dalston, Middlesex, following no trade.

Nov. 2 at 11, before the CHIEF COMMISSIONER.

William Lempriere, University-st., Gower-st., Bedford-square, Middlesex, commission traveller.

Nov. 2 at 10, before Mr. Commissioner LAW.

George Knight, Upper Ann-st., Plumstead-road, Woolwich, Kent, carman.

Nov. 2 at 11, before Mr. Commissioner PHILLIPS.

Fanny Stewart Dunston, Liverpool-st., King's-cross, Middlesex, gentlewoman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at EXETER, Nov. 2 at 10.
Gregory Seccombe, Plymouth, auctioneer.

At the County Court of Radnorshire, at PRESTEIGN, Nov. 12 at 10.

Edward Powell, Stendon, Llowes, farmer.

At the County Court of Dorsetshire, at DORCHESTER, Nov. 5 at 11.

Samuel Drew, Weymouth and Melcombe Regis, beer-house keeper.—*Sarah Read*, widow, of no profession.—*John Easton Clarke*, Broadwinsor, out of business.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—*Herbert Watkin Williams Wynn*, Esq., for the county of Montgomery, in the room of the Right Hon. Charles Watkin Williams Wynn, deceased.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Benjamin Bloomfield, Gent., of Kildare-street, Dublin, to be a Master Extraordinary in the High Court of Chancery, Ireland.

WINGROVE COOKE ON AGRICULTURAL LAW.

Will be published on the 1st November.

THE LAW and PRACTICE OF AGRICULTURAL TENANCIES, with numerous Precedents of Tenancy Agreements and Farming Leases; and Culture Stipulations adapted to every circumstance of Cultivation, as settled by the best agriculturists in the respective districts. By G. WINGROVE COOKE, of the Middle Temple, Barrister at Law, Author of "A Treatise on the Law relating to Rights of Common," &c., and one of the Assistant Tithe Commissioners for Special Purposes.

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LONDON, OCTOBER 26, 1850.

In our last number we considered the subject of negligence as between servants and their masters; we now propose to investigate some of the rules of law that relate to negligence as between strangers. Actions for this cause are often defended upon the ground that the plaintiff himself contributed to the injury of which he complains; and it becomes important to consider the effect of such contribution. The question has been complicated by the use of the word "injury," which has been indiscriminately applied to the accident and to its consequences. It is essential, however, to a right understanding of this branch of law, clearly to distinguish between the two, as upon this distinction depends the responsibility or non-responsibility of the party sought to be charged.

The principle to be deduced from the decisions is, that if a party contribute in any degree to the immediate cause of the mischief, he cannot complain of the injury that may ensue, but he may recover if he only increase the amount of the injury or the injurious consequences. As was said by Coleridge, J., in *Sills v. Brown*, (9 Car. & P. 601), "The question is, whether the plaintiff, by his negligence, substantially contributed to the occurrence of the injury, not to the amount of it."

The first portion of the above principle is generally submitted to the jury in these terms—whether the plaintiff, by the exercise of proper care and skill, might have avoided the consequences of the other party's negligence. If so, he cannot maintain an action. (See *Starfield v. Forrester*, 11 East, 60; *Thorogood v. Ryan*, 18 L. J., C. P., 336; and *Bridge v. The Grand Northern Railway Company*, 3 M. & W. 244).

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In *Davies v. Mann* (10 M. & W. 546) the defendant negligently drove his horses and waggon against, and killed, an ass, which had been left in the highway fettered in the fore feet, and thus unable to get out of the way of the defendant's waggon; and the jury were held to be properly directed, that although it was illegal on the part of the plaintiff to put the animal on the highway, the plaintiff was entitled to recover. And a plaintiff may recover, though he might have prevented the accident, provided he was in no degree in fault in not endeavouring to prevent it. (*Vennall v. Gardner*, 1 Cr. & M. 21).

In *Butterfield v. Forrester* (supra) the defendant had placed an obstruction in a street in Derby, and the plaintiff, who was riding very violently, rode against it, and was hurt. It was held, that he could not recover, if, with reasonable and ordinary care, he could have seen and avoided the obstruction. In *Lack v. Leward*, (4 Car. & P. 106), Tenterden, C. J., ruled, that if the accident could have been avoided, but for the negligence of the plaintiff, he could not recover. (See also *Lutford v. Large*, 5 Car. & P. 421; *Pluckwell v. Wilson*, Id. 375; *Woolf v. Beard*, 8 Car. & P. 373; *Hawkins v. Cooper*, Id. 473; and *Flower v. Adam*, 2 Taunt. 314). In *Thorogood v. Bryan* it was also decided that a passenger in a public conveyance is so far identified with the driver of it, that the negligence of the driver becomes the negligence of the passenger.

Two cases have been recently decided, in which the plaintiff had, by his own conduct, increased the amount of the injury. In *Greenland v. Chaplin* (19 L. J., Ex., 293) the plaintiff was a passenger on board a steam-boat, and was injured by the falling of its anchor, in consequence of a collision with a steamer belonging to the defendant. There was con-

flicting evidence as to the propriety of the mode in which the anchor was carried, and also whether the plaintiff had not placed himself in a dangerous position. It was held to be a misdirection to tell the jury that the plaintiff was not entitled to recover, if there was negligence in the stowage of the anchor, or in placing himself in the position he did, although the collision occurred from the negligence of the defendant. Pollock, C. B., in delivering the judgment of the Court, said, "The man who is guilty of a wrong, who thereby produces mischief to another, has no right to say, 'Part of that mischief would not have arisen if you had not been yourself guilty of some negligence;' and I think that where the negligence did not in any degree contribute to the immediate cause of the accident, negligence ought not to be set up as an answer to the action; and certainly I am not aware, that, according to any decision that has ever occurred, the jury are to take the consequences and divide them in proportion, according to the negligence of the one or of the other party."

In *Rigby v. Hewitt* (19 L. J., Ex., 291) the action was against the owner of an omnibus to recover damages for injuries sustained by the plaintiff by being thrown off another omnibus by the negligence of the driver of the defendant's omnibus. It appeared that the omnibuses were racing at the time, and that the defendant's omnibus struck against the one on which the plaintiff was riding, and caused it to swing against a lamp-post, by which the plaintiff was injured. Had the omnibus which was struck not been proceeding so rapidly, it might have been pulled up after the collision, and the accident have been prevented. Rolfe, B., in summing up, told the jury that the plaintiff was not disentitled to recover merely because the omnibus he was on was driving at a furious rate; and that if the jury thought that the collision took place from the negligence of the defendant's driver, so that the other driver was not in fault in not endeavouring to avoid the accident, then the defendant was liable. This ruling was supported by the Court above.

In the two last cases, Pollock, C. B., doubted whether a person guilty of negligence was responsible for all its consequences, or only for such as might reasonably be expected to result under ordinary circumstances. In the course of the argument, his Lordship asked, "If a person choose to walk in a crowded street with an open knife under his coat, and another person wrongfully runs against him, is he to be responsible for all the damage that the knife may inflict upon the person who carries it?" The rest of the Court seemed to be of opinion that he would be answerable to the full extent; but it was not necessary to decide the extreme case on either of the occasions above referred to.

WE have received from Mr. Carrighan some observations on the criticisms to which we subjected his pamphlet on the Masters' offices, (see ante, p. 357); and as Mr. Carrighan expresses, we believe, the opinion of very many able solicitors, and as the subject is one of considerable practical importance, we insert his observations, not, however, in any degree retracting our own view, nor meaning to hold out that, on all occasions, we shall feel it our duty to publish the answers which legal authors may wish to address to our criticisms. Mr. Carrighan writes as follows:—

2

You observe, "The objection to this system is said to be the uncertainty of the time at which any cause may be called on, and the consequent frequently useless consumption of the solicitor's time in attending or having somebody in attendance to watch."

You then proceed to say, "But the fallacy of the argument against the new regulations, as compared with the old ones, is, the taking it for granted that, under the old system, a solicitor with a mass of business could insure that each portion should come on at a different time, and that, under the new system, they must all come on at the same time. If, under the old system, a solicitor had an appeal in the Chancellor's Court, two causes in the Vice-Chancellors' Courts, and one long warrant in a winding-up case, he could no more be sure of being able to attend to his different other warrants in the Masters' and taxing offices than he can under the new system."

Now a solicitor, beyond all doubt, *could*, under the old system, insure that each portion of his business in the Master's office should come on at a different time, because the times of proceeding were fixed and ascertained, and he might, under certain limitations, *fix those times himself*.

My observations on this head were directed to the *Masters' offices*, and not to the superior courts; so that the reasoning by which you assume to expose what you term the fallacy of my argument, has no application to the point.

You then remark, "that the warrants in the Masters' offices were at fixed times, did not help me, because the appeal and the causes by their rank, and the winding-up warrant by virtue of its length, if they came on, would exclude the ordinary warrants; and they required to be watched while the solicitor was attending any such ordinary warrants."

It is a matter of surprise to me, Sir, that you are so little impressed with the important difference between fixed and indefinite times of proceeding. Let me ask, is there no difference between a client saying to his solicitor, "I will call upon you, Sir, on Monday next, at ten o'clock," and "I will call upon you *sometimes* in the course of Monday?" In the one case the solicitor gets rid of his client in half-an-hour, and in the other he is either chained to his office the whole day, or he turns his back upon his client.

Now, Sir, when you say that warrants in the Masters' offices being at fixed times did not help a solicitor, because the causes he might have would, "if they came on," exclude the ordinary warrants, you evade, or rather you beg the question; because the pith of your observation hangs upon the hypothetical "if they came on." But let us suppose they do not come on, or that they come on late, what, in such case, is easier than for the solicitor to slip out of court at the appointed time of his warrants, and attend them before the Master? This is constantly done. But he may happen not to have any cause in the paper in the courts above; in such case there would be nothing to interfere with his warrants.

You observe, "It might happen under the old system, and it may happen under the new one, that, with such a multiplicity of business as is portioned out in Mr. Carrighan's table, all things should so arrange

themselves as that each portion should come on at a separate time. Such a combination would be very unlikely, however, under either or any system; and the whole difficulty, in effect, resolves itself into that of watching, to enable the solicitor to attend by himself, or by his clerks, the business of the greatest importance, or to oscillate between different courts and different offices, giving a portion of attention to each."

Here, Sir, you admit that embarrassment must exist under both systems, arising out of the multiplicity and variety of business; but then you affect, by your concluding remarks, to get rid of the dilemma, by observing, "that the whole difficulty, in effect, resolves itself into that of watching," &c.

Now this very watching embodies the whole evil.

It was difficult and onerous enough, under the old system, to be continually watching the courts. Ask a city solicitor his opinion and feeling upon this subject, assuming the Courts to be sitting at Westminster. What will be his reply? What has, indeed, been his complaint and outcry for years upon this score?

But what will be his position now, when, instead of five equity courts where causes are heard at indefinite periods, he will have fifteen indefinite courts to watch and dance attendance upon, letting alone the common-law courts and all the subordinate offices?

After admitting the probability that the solicitor may find it necessary, under the new system, to enlarge his establishment, you proceed to say, "If the solicitor is at greater expense by keeping more clerks, he will get through his business with a proportionate rapidity, and therefore with a proportionate advantage. . . . But inasmuch as with solicitors, as well as with other professional men, the measure of their annual gains is the business done, and not merely the business undertaken to be done, it is difficult to see how a solicitor, with a large and continually inflowing current of business, can be a loser by a system which will enable him to get through a larger quantity of business in a given period."

This, Sir, is a gross fallacy. When you remark this, you overlook such cases as *Villiers v. Harrington*, where the solicitor was detained upwards of eleven days, and then withdrew his cause from the list in despair; and *Hedges v. Skinner*, where, upon a mere proposal for a receiver, the solicitor waited three days for an audience.

These cases happened in one office. Scores of others could be cited in the same and other offices. Could this have happened under the former system? If the hour had been fixed, would they not at once have been disposed of?

Now, with such a system of *delay* as this, how can the engaging a larger establishment of clerks enable the solicitor to accomplish more business, and so make himself proportionably richer? A solicitor detained a whole day, to the neglect of all his other affairs, and that for a fee of 6s. 8d., (or 3s. 4d. only if he happens to be an agent only), and so on from day to day!

Now, suppose a solicitor to keep, under the new system, two clerks, where before he kept one, would he not, under such a dilatory system as this, and with such a scale of remuneration, undergo a double ruin? Would he not feel disposed rather to abandon such a practice in disgust?

But is the client benefited any more than the solicitor? This question is answered by a reference to what takes place in *Villiers v. Harrington*, and other cases of the like sort.

The solicitor, in fact, haunts the Master's office, until, despairing of an audience, he goes about his business, or he is called away by other matters. The cause at length is called on, but he is absent. Nothing is done, and the matter goes to the bottom of the list, when a repetition of the like series of vexations and delays occurs.

It is a fallacy to assume that more business is or can be done under the new system. The contrary is the case, as is abundantly proved.

As your valuable journal is a very fit medium for communicating suggestions, I beg to surmise that it would be an improvement upon the system were all applications for time, commissions, and similar small matters, not having any bearing upon the substantial merits and inquiries in the suit, to be disposed of by one particular Master. This would relieve and enable the other Masters to give up the whole of their time uninterruptedly to graver matters of inquiry, instead of having a considerable portion of it absorbed and frittered away by unconnected matters of irrelevant and trifling consideration.

PARTNERSHIP EN COMMANDITE*.

THE law of France, besides the "*société en nom collectif*," which is the same as our ordinary partnership, and the "*société anonyme*," which is similar to our chartered company, being created by a royal decree or ordonnance, recognises a third description of partnership called "*société en commandite*." It would appear, however, that the old law of France did not recognise this sort of partnership any more than the common law of England does now. M. Pardessus, the eminent French jurist and writer on commercial law, thus opens his description of it:—"La société en commandite, étant une exception au droit commun, doit être clairement établie; ou ne la suppose pas." (*Cours de Droit Commercial*, 1028). It is not clear how far this species of partnership was used by the Romans, but it appears from the researches of M. Pardessus (*Collection des Loix Maritimes*) that it was in extensive use in the great commercial cities situated on the Mediterranean from a very early period in the modern history of Europe. And the investigations of M. Troplong, another eminent writer on French law, appear to lead to the conclusion that the early commercial prosperity of the Italian States is very much to be attributed to the means of carrying on colossal operations afforded by this species of partnership. It not only enabled the nobility to evade the ecclesiastical restrictions on usury, but to engage largely in lucrative commercial adventures without their names appearing, and consequently without their dignity being compromised. (Troplong, *Droit Civil Expliqué*, Pref. to tom. xii,

* M. Troplong (tom. xii, p. 355) thus explains the name:—"Dans le latin de la moyenne et de la basse latinité, *commandare* signifiait déposer une chose, la prêter, la confier; ainsi, ce nom de *commanda* (commande) était propre à toutes les sociétés dans lesquelles se rencontrait la combinaison d'un capital confié à un travailleur." The following is one of his notes to the above passage:—"Toubeau a donné son étymologie du mot *commandite* et l'on ne saurait rien de plus plaisant: 'M. Collinet m'a dit que le mot *commandite* vient de *comment dit*, *ut dictum est*, une société aux termes et aux conditions dites, spécifiées et portées par le contrat ou scripts. Cette étymologie me semble fort bonne et fort naturelle.' (P. 103). Et à moi, elle me rappelle cette facétie sur le mot *cordonnier*, homme qui donne des cors aux pieds!"

† This name seems to indicate that feature of its character which takes the names of the individual members of whom the aggregate is composed out of the knowledge of the law—in this case, the law looking not to the individuals, but only to the body corporate. The code defines it as "not distinguished by the names of any of the partners," but "as named after the nature of the trade which it purports to carry on." (*Code de Commerce*, arts. 29, 30).

‡ The French code recognises indeed (art. 47) a fourth kind of trading company, "*associations communales en participation*," but they are not bound to regard the formalities prescribed for other descriptions of partnership. (*Code de Commerce*, art. 50).

p. 69). And we have an example of the same thing in the present time in the statement of one of the witnesses examined before the Committee on Savings, the witness stating that the King of Holland was commanditaire in many instances.

The leading principle of commandite associations or partnerships consists in this—that only those who interfere in the management incur unlimited liability, the other partners or shareholders being only liable to the amount they have subscribed or agreed to subscribe. The managing partners are called “commandités” or “les gérants,” the others “commanditaires.” The association, as between the commandités or managing partners and the public, is an ordinary partnership; as between the other partners or shareholders, the commanditaires, and the public, it is a privileged company.

In order to constitute a commandite association, it must be stipulated in the deed of association that certain of the associates be excluded from management, and that their risk be limited to the amount of their respective contributions. According to Pardessus, this double stipulation need not be stated in more express or circuitous terms than, that “tels et tels sont commanditaires, ce mot évitant la periphrase que sans cela, il faudrait employer.” (Cours de Droit Commercial, 1028).

The law of France requires the public registration of an *extract* of the deed of partnership en commandite, stating the time when the partnership is to commence and to terminate, the names and addresses of the managing partners, and the amount of the capital subscribed. (Code de Commerce, arts. 42, 43). The “extract” must also state that among the associates there are so many commanditaires, without giving their names, it being considered that this would be useless, since the credit given is not to the personal responsibility of the commanditaires, but to the funds supplied by them; and that one of the advantages of the system is the allowing of parties to supply funds to commercial enterprises without the publication of their names. The “extract” must also set forth in what sums or in what species of property (objets) their contributions consist, and whether or not they have been paid up. (Pardessus, Cours &c., 1029). The above statement is required to be made public in every arrondissement in which the partnership has a place of business, within fifteen days after the execution of the deed of partnership, under the penalty of the nullity of the agreement as between the parties, but without affecting their liability to third persons. (Code de Commerce, art. 27). A false statement of the amount of funds guaranteed is punishable as an act of swindling. (Code Penal, art. 405).

The liability of the commanditaire is restricted by the terms of the code to the funds qu’il a mis au dû mettre, (art. 26); on which words the French Courts have put different constructions; but the better opinion seems to be that the amount is to be confined to the sum which he has contracted to pay, and that the profits received by him are not liable to be refunded, unless a case of fraud can be established. (For a reference to the conflicting decisions, see Report on Partnership, of the Society for promoting the Amendment of the Law, p. 12, note 4). The Code expressly permits the capital of a partnership en commandite to be divided into shares, which the Courts in 1830 decided may be made transferable by the mere delivery of the share or certificate. (Id., p. 13).

It is an indispensable condition of this species of association, that the commanditaire take no part in the management of the business or adventure. If he perform any act of management, he becomes liable for all the engagements of the association. He ceases to be a commanditaire, and becomes a commandité. In

other words, his liability ceases to be limited to the amount of his contribution. According to this rule, a shareholder cannot be employed by the association even by power of attorney. (Code de Commerce, art. 27). The question, of what degree of interference does and what does not amount to such an act of management as produces unlimited liability, has given rise to much discussion. But it has been settled that a commanditaire does not incur this penalty by dealing with the firm on his own account; so that, for example, a commanditaire in a firm or association formed for running public conveyances may supply the carriages to the firm. So, although Pardessus states it (Cours &c., 1030) as a consequence of the general rule, that a clerk or servant cannot become a commanditaire, whether by a contribution of money to the general fund or by his labour being considered as such contribution, without incurring the full liability, it is now considered to be a consequence of the declaration of the Council of State of the 29th August, 1809, that a commanditaire may act as a clerk or servant to the firm without losing his character of commanditaire. (12 Troplong, Droit Civil Expliqué, 417; 17 Locré, Législation de la France, 461).

Under this last head will fall the case, mentioned in the minutes of evidence taken before the Select Committee on Savings, of M. Léclaire, a house painter in Paris, who ten years ago undertook to associate his workmen to the profits of his business, and the results were that his own profits increased most rapidly. M. Léclaire, in a very interesting pamphlet published by him on the subject, speaks very strongly of the moral improvement which the plan produced in his workmen—an improvement in their conduct, both when at work and also at other times. It seemed to raise them in their own estimation, and induced them to cultivate careful habits of all sorts. Nor is M. Léclaire’s the only establishment of the kind in Paris. M. Dupont, the printer of the “Revue des Deux Mondes,” who keeps one of the largest printing-offices in Paris, is stated by Mr. Ludlow, in his evidence before the Committee on Savings, to be pursuing the same plan.

In their commentaries on this law of partnership the French lawyers have drawn a distinction between acts of management (*gestion*) and the exercise of a certain control over the *gerans*. Thus M. Pardessus states (Cours de Droit Commercial, 1031) that a commanditaire is not precluded from taking a part in the deliberations of the association which relate to the auditing of the accounts, the distribution of dividends, the necessity of calling in instalments, and even what engagements or speculations shall be entered into. Moreover, the commanditaire has evidently the right to hinder the commandités from engaging in operations which are interdicted by the deed of partnership, and the right of satisfying himself that the provisions of the deed have not been violated, and also whether the commandités are faithful or not to their engagements. This right is a necessary consequence of the partnership agreement or contract: for the partnership en commandite “differs,” says M. Pardessus, “from ordinary partnership only in one point—the limitation of the obligations of the commanditaires towards the creditors; as to the individuals who compose the partnership, the social relations between them remain unaltered.”

We suppose we may conclude that the French law, though it recognises the right of the commanditaires to be consulted as to the affairs of the partnership, is not sufficiently stringent to raise such obstacles to the operation of the principle above referred to as would render that operation impracticable—an effect produced by the present state of the English law of partnership. For by the English law, in the first place, every partner in an ordinary partnership is subject to unlimited liability. Next, as soon as the number of partners amounts to

twenty-five, the Joint-stock Companies Registration Act steps in and declares that there must be three directors, in the nomination of whom every shareholder shall have a voice. Now, this manifestly at once puts an end to any such beneficent plan as that so successfully pursued by M. Léclaire and others in France.

We extract the following account of the extent to which the form of partnership *en commandite* prevails throughout the world from the Law Amendment Society's Report before referred to:—

"At the present time the French Code de Commerce constitutes or serves as the foundation of the law of Piedmont, Tuscany, the Papal and Neapolitan States, Spain and Portugal, Belgium and Holland.

"In the north of Europe the species of partnership which we have been considering seems not to have taken root. No provisions relating to it are to be discovered in the laws of Oleron, or those of the Hanse Towns—the great sources of northern commercial law. In Scotland, too, the recognised doctrines appear to be similar to those received in England; and the only approach to a partnership *en commandite* is made by the ambiguous transactions known as a joint trading—a species of dealing which the law of England in like manner acknowledges, but with the result only of opening a field for legal ingenuity to dispute whether certain parties are partners or not.

"In Germany, however, the principle on which it depends is widely recognised. The Austrian Code provides that the members of a firm whose names are not announced shall in no case be answerable for more than their share of the capital. By the Prussian law a person is allowed to entrust his capital to a firm at a higher rate of interest than the law allows generally, if he will stipulate to share the risk in proportion to his capital, it being expressly provided that the creditors of the firm shall have no claim upon him beyond that amount. And by the laws of Frankfort, a person who lends his money to a partnership without taking any part in the management, on condition of a share in the profits, is not liable to any further claim in consequence of the inability of the partnership to meet its engagements.

"The practice of forming partnerships *en commandite* is, however, not confined to Europe. It exists also extensively in the United States. The Code of Louisiana admits it under the title of partnership in commandam; and it is stated by Mr. Kent to have been authorised by statute in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Maryland, South Carolina, Georgia, Alabama, Florida, Mississippi, Indiana, Michigan, and New York.

"The provisions of the Code of Louisiana substantially resemble those of the French Code, which serves as the basis of its legislation. The question upon which the French Courts have been divided, as to the liability of partners to 'repay dividends received out of net profits fairly made during the solvency of the partnership,' is here expressly decided in the negative.

"The conditions under which the establishment of this species of partnership is permitted in the other States above enumerated are, as we learn from Mr. Kent's Commentaries, nearly the same as those adopted by the law of New York, to which they are subsequent in date. It seems, therefore, sufficient to mention the provisions of that law. They are somewhat more stringent than those imposed in France. For instance, before such a partnership can commence operations, the parties who are desirous of forming it are required to register, for public inspection, the names and residences of the commanditaires, known in America as 'special partners,' in addition to the other particulars required to be registered in France; and the *gérants*—there called the general partners—are required to make affidavit that the sums agreed to be contributed have been paid. Any false statement made by the general partners, in these

respects, makes all persons interested in the partnership 'liable for all the engagements thereof as general partners*.' Again, no partner is permitted to transfer his share in the partnership property during the continuance of the partnership; and it is expressly provided, that if, 'by the payment of interest or division of profits, the original capital has been reduced, the partners receiving the same shall be bound to restore the amount necessary to make good his share of capital with interest.' In France it has been shewn that the partner would not be obliged to refund past profits unless in a case of fraudulent dealing.

"Lastly, it may be observed, that by an Irish Act of the 21 & 22 Geo. 3, the formation of partnerships *en commandite* was permitted in Ireland to a certain extent, the capital of these partnerships being limited to 50,000*l.*, and their duration to fourteen years. The statute does not appear to have been acted upon, though for what reason it is not easy to ascertain. One cause may, perhaps, be found in a provision, by which half the net profits are required to be laid by annually to form a reserve fund for the payment of the creditors in case the concern should fail, the surplus, or the whole if not required for the payment of debts, being divisible among the partners at the end of the stipulated term of the partnership, but not till that period."

In framing a measure for this country on the subject of partnership *en commandite*, or partnership with limited liability, not only the French Code but the Codes of New York and Louisiana might, and they doubtless would, be consulted with much advantage.

The following evidence, taken by the Committee on Savings, gives some curious and interesting details as to the operation and effect of this sort of partnership in Belgium, Holland, and France, and also the opinion of a practical man of much experience as to the probable effect of its introduction into this country:—

"*Thomas Wilson, Esq.*, called in, and examined.

"354. *Chairman.*—Your experience has been chiefly in Belgium and Holland, has it not?—Yes, and France also.

"355. Have you had experience of this law of limited liability, which the Committee understand prevails there?—Yes.

"356. *Mr. Ewart.*—How long have you lived in Holland?—I have been there since 1809; since the Walcheren expedition.

"357. Have you been extensively concerned in various transactions in that country?—In almost everything that has been going on upon the continent of Europe, where there has been a shilling to be gained; in all kinds of contracts of industry, speculations in the funds, in dyking rivers, and everything where anything could be gained.

"358. *Chairman.*—Having great experience of those wide transactions in Holland and Belgium, where this law prevails, what is your opinion of it; is it advantageous?—Yes; most of these operations have been carried on under societies, and also by limited liabilities *en commandite*.

"359. Looking at the practical operation of the law of limited responsibility in those large transactions of which you have had experience in Holland, have you found it beneficial?—Yes.

"360. Do you think that it tends to bring persons of prudence and caution and care to take part in enterprises of this nature, which you think they would not do if the responsibility were unlimited?—I do.

"361. Do you think, if the liability were unlimited, that parties of the character and mind I have spoken of would be unwilling to enter into such enterprises?—Yes, I do.

"362. Is it your opinion that they would be pre-

* This seems a strange and objectionable provision.

vented, by the law of unlimited responsibility, from entering into such undertakings?—They would not enter into them.

"363. Do you find that under the law of limited liability, enterprises are carried out successfully by circumspect men, and to the great advantage of the community?—Completely so.

"364. Do you find that the enterprises headed by the cautious and circumspect men referred to, and carried out successfully, are joined by persons of the humbler and middle classes taking shares in them?—Yes.

"365. Do you think that these enterprises, so conducted and carried out, afford good investments for the savings of those humbler and middle classes?—I do.

"366. Mr. *Ewart*.—Are there many such societies in Holland?—Yes; Holland has gained a great portion of its land from seas and rivers.

"367. *Chairman*.—Do you refer to enterprises for the purpose of gaining land?—Yes, dykeing it in, and gaining it; in my time, from the Scheldt, I dare say there has been two or three hundred thousand acres gained by the local people undertaking it with capitalists; the local people have a knowledge of the soil, of the tillage, and the climate; of the rivers, and the heights of the water; and they are industrious, and they entice them to come in, and they come in and gain a profit.

"368. Mr. *Ewart*.—And that under a law of limited liability?—Yes.

"369. Which they would not be induced to do, you think, if that did not exist?—No; you buy a 'polder,' a piece of land of 5000 or 6000 acres, and you get the capitalists to join you; and the people of the neighbourhood say, 'I will take to the amount of 20,000 guilders,' and others to the amount of 10,000 guilders, and they join till they make a polder, and divide it afterwards, and make a profit.

"370. *Chairman*.—They divide it into small shares, do they not?—Yes.

"371. What does a 'polder' mean?—It means land that has been reclaimed.

"372. Do you think that the same principle carried out in the same way that you have spoken of, successfully, for the purpose of inclosing land adjacent to rivers, and portions of the sea-coast, would be applicable to the supply of a town with water, to making a bridge, to making public lodging-houses on an improved plan, and in which the people should pay rent, or to any such local enterprises?—I believe it is so in Holland; they have there their houses of refuge for the poor; they are built by them in that way, not only as a gift, but as a speculation that benevolent people will pay them interest for.

"373. Is it found, generally speaking, that enterprises of the nature that you have referred to, do succeed tolerably well, and pay a moderate interest to the shareholders?—Yes, of course; otherwise they would soon be discontinued.

"374. The people of Holland are reckoned remarkably cautious in their proceedings, very industrious, and careful as to the nature of the undertakings that they enter upon, are they not?—Yes, they are so.

"375. And these parties have found the law you have spoken of, and the mode of carrying out those enterprises, particularly successful?—Of course.

"376. Is that a popular mode of investment that the humbler and middle classes are much accustomed to look to?—Yes; but you see that they have done it before this law was brought into Holland, fifty years ago; they did it themselves, morally, from man to man; the law then did not exist in Holland—it was done upon confidence; but since 1806 they have worked upon it, and it does well. They have coal pits and iron pits, and the King of Holland was commanditaire in many instances.

"377. Does your experience extend into other countries besides Holland?—Yes, into Belgium.

"378. Is it also found successful in Belgium?—Yes; most of the collieries there have been worked en commandite, or with limited liability.

"379. Has that a tendency to induce persons of cautious, circumspect, and careful habits to take shares in partnerships which they might be prevented from doing if their whole fortune were liable?—If this law did not exist, it would prevent them from going into partnerships as they do now.

"380. Have you not written a work upon this subject?—Yes. [The same was handed in.]

"381. Do you refer for the opinions that you give upon the subject to the work that you have written?—Yes; and there is another work that was written by me in French. It is, "On the Origin of English Capital from 1688 to 1846," relating to the same subject.

"382. Mr. *J. A. Smith*.—What was the state of the commercial law in Holland, in reference to partnerships, before the French Code was introduced?—You might make what partnerships you liked, as you can here. It was according to the partnership that you entered into.

"383. You cannot make a commandite partnership here?—The partnership in Holland was a contract, and therefore the contract would limit them at that time, so that an individual would only be responsible for the articles in that contract.

"384. It was virtually a limited liability, was it not?—Yes, morally.

"385. Not legally, but morally?—Yes.

"386. *Chairman*.—Are there any safeguards in the law en commandite that you think advisable?—I believe it would do more than anything I have known, and I have had a great deal of experience; I believe nothing would drive out panics so much in England as societies en commandite. The profits since the peace have been sixty millions a year. I reckon that every person in England saves 3*l.*; your profits are sixty millions a year, and that in five years will be three hundred millions sterling. You have the bankers, the monied men, and the manufacturers, all running as fast as they can to make use of capital, and they run into all manner of dangerous speculations, till a panic comes on all of a sudden. I have known it now for every five years. This is the eighth panic that I have seen, and the eighth panic that has touched me. You have in the book my history. I began when Mr. Rothschild was in Manchester in 1804, and from 1793 till now I have had experience amongst all these things, and I say that nothing will cure you but limited partnerships. The profits are not always in the hands of capitalists; the three hundred millions are spread, but not employed; but you foster all kinds of speculation, and the middle classes and the lower classes, who have gained their 3*l.* with the rest, are glad to run into everything to make use of it; every five years you have too much capital lost in that way.

"387. You think that, with the rapid accumulation of capital in this country, for the humbler and middle classes it would be a great advantage and safeguard if they were permitted to have limited liability?—Yes. I have young men here in London, who have been trying to do business in foreign merchandise, of which I have a very good knowledge, and they cannot do so; I cannot assist them, because, if I assist them, I am liable for the whole. I know many others; I know many sisters, aunts, and widows, who would employ their money in partnerships, provided they were not liable for all that they possess. I know families, some of the oldest families in England, that have had 20,000*l.* a year, and they would have been very glad to enter into partnerships, in the extraction of stones, slates, collieries, and iron, and everything; but they never

would enter into them, because they were afraid. All these observations are to be found in the book. With regard to Ireland, I have mentioned all about flax; I have lived in Holland and Belgium, which are flax-growing countries, and there is no reason in the world but what you ought to grow flax in Ireland to the amount of two millions sterling a year, in the bogs, cultivated by partners en commandite."

Mr. Ludlow also thinks Ireland would afford a great and most beneficial field for its operation. He says—

"There is one especial field for limited liability, and that is Ireland; every one knows how Ireland is crying out for capital; the whole land is going to ruin. It can hardly be doubted, even if there are objections to limited liability in England, that anything that would facilitate the employment of capital would be of the greatest importance in that country."

"143. *Mr. Greene.*—Are you not aware that the present law with regard to Ireland allows the establishment of companies with limited liability?—I am so well acquainted with it, that I drew up for the Irish Solicitor-General, at Mr. Bellenden Ker's request, the sketch of a bill to amend that law; but I should say that limited liability is needed in Ireland, chiefly with reference to the land; for instance, to facilitate the formation of great farming companies."

"144. *Chairman.*—You think that the present law of limited liability in Ireland is susceptible of considerable amendment?—Considerable; there have been two companies established, I think, under it, of both of which I have seen the deeds; but still they find themselves very much hampered by the Anonymous Partnership Act. The act tends to stimulate only the industry of Ireland, being confined to trade and manufactures; and we all know that it is the land to which capital ought most to be directed in that country."

There is an argument sometimes advanced against the introduction of the commandite principle, namely, that the repeal of the usury laws produces the same effect, by facilitating investments in the shape of loans. This argument appears, as is observed by Mr. Ludlow in his evidence, to be satisfactorily disposed of by Mr. John Stuart Mill, both in his work on political economy and in his evidence before the Select Committee on Savings. Mr. Mill shews, that when a person, instead of becoming a sleeping partner under the commandite system, lends his money to traders at a high interest, this is a less advantageous mode both to the borrower and to the persons with whom he might deal; because the lender is a creditor, and would come into competition with the other creditors in the event of failure, instead of supplying funds out of which their claims might be satisfied. "The Legislature," observes Mr. Mill in his evidence, "does not think it necessary to restrict people from carrying on business with borrowed money, lest it should give a stimulus to speculation; and there seems no reason why, when it permits borrowing in every other mode, it should select for prohibition the one mode which is at the same time the most useful to the borrowers, and the most advantageous to the security of all other creditors."

We have in a former number (ante, p. 320) quoted Mr. Ludlow's opinion in favour of a modification of the form of limited partnership called the commandite. We consider his argument in favour of *absolutely* limited liability where the partnership is numerous, on the ground, principally, that in such case the managing partners are men of straw, to be, if not perfectly conclusive, entitled to much consideration. And with respect to his proposal to publish all the names, it seems to us that the advantages derived from that plan would be attended with disadvantages, perhaps more than counterbalancing the advantages. As in the case of the nobility in the time of the early commercial prosperity of Italy, and in the case of the

King of Holland, cited by Mr. Thomas Wilson in his evidence above quoted, there are many persons in this country who would be very good and efficient commanditaires—"special partners," as the name is in America—who would decline the partnership altogether if the publication of their names were made an indispensable condition of their joining it. The publication of names was also proposed by Mr. H. S. Chapman in an able pamphlet, published some years ago, on the subject of "partnership en commandite."

In regard to the very important object of inquiry proposed by the Select Committee on the Savings of the Middle and Working Classes, we shall now proceed to state our conclusions drawn both from the evidence collected by the Committee, and from the consideration of the present state of the law of partnership both in this country and in France—indeed, in most parts of Europe and America. The result of the evidence published by this parliamentary committee (which agrees fully with all the evidence from other sources) is, that it is the opinion, not only of the middle and working classes themselves, but of educated men who have considered the subject, with the best means of judging of the practical effect, both moral and economical, of the working of the present law in this country, of political economists of eminence, of mercantile men, and lawyers of practical experience, that, even if the present law of ordinary partnerships is to remain untouched, that portion of the law of partnership which has been termed the law of joint-stock companies calls imperatively for important and immediate alteration. Not only the working men themselves, but experienced practical lawyers, who have in all ages been sufficiently imbued with that "fear of change which perplexes monarchs," have stated before a parliamentary committee their deliberate conviction, that the laws of partnership and joint-stock companies in this country are so constructed at present as only to suit the means and wants of the rich and powerful; and that there is no reason of sound policy why those laws should not be put upon such a footing as to place all the advantages, which are now shewn and admitted to attend limited liability, within the reach of those who have not at present the means of obtaining either a royal charter or a parliamentary act of incorporation.

It may, indeed, appear at first sight, from the result of certain cases imperfectly understood, that the law of England does permit the arrangement by which agents or servants, for the purpose of stimulating their exertions, are paid, not by a fixed sum, but by a certain proportion of the profits, or, to speak more accurately, of the returns of a business or adventure. We allude to such cases as *Wilkinson v. Frasier*, (4 Esp. 182), stated to be the case of the usual articles for voyages in the Southern Whale Fishery, where it was stipulated that the produce of the voyage should be divided in certain proportions, (the proportion of a common sailor being a 190th part, which obviously gives a right to an account); *Perrott v. Bryant*, (2 Y. & C. 61), where oyster dredgers, who had no interest in the boats, agreed to receive from the owners of the boats a stipulated share of the profits; *Mair v. Glennie*, (4 M. & S. 240), where the master of a ship, under an agreement between him and the owner, was to have, in lieu of all wages, primage, &c., one-fifth share of the profit and loss of the intended voyage; and *Dry v. Boswell*, (1 Camp. 329), where there was an agreement between the sole owner of a lighter and a lighterman that the latter, in consideration of working the lighter, should have half her gross earnings: in all which cases it was decided that there was not such a partnership existing as to prevent an action being maintained for wages. But in all this class of cases (except *Dry v. Boswell*) it must be observed, that the only question was of a partnership *inter se*, the determination of which question in

the negative affords no assistance as to the other and totally distinct question of a partnership or no partnership quoad third parties, and of consequent liability or non-liability towards the world at large.

We submit that the difficulty as regards ordinary partnerships would in great part, if not altogether, be got over, by making the constitution of a partnership quoad third persons depend upon the same conditions as a partnership *inter se*. We should thus have a rule of law, if not perfect, at least so far plain and intelligible, which would be, that those whose share of the returns of the business or adventure consisted wholly of the profits of stock, or partly of the profits of stock and partly of the wages of labour, should be held liable as partners; but that those whose share of the said returns consisted wholly of the wages of labour, or the interest of money lent, or a certain fixed annuity, and who had no control or voice as principals in the management of the business or adventure, should not be held liable as partners. This would provide for all those cases in which agents or servants, for the purpose of stimulating their exertions, are paid, not by a fixed sum, but by a certain proportion of the profits; or, to speak more accurately, of the returns of the business or adventure; and would remedy one most important defect in the present state of the law. Another, perhaps still more important, defect would be provided for by either adopting the commandite form of partnership, or, should it be decided that the objections to that stated in Mr. Ludlow's evidence, and formerly quoted, are sufficiently valid, by granting, in conformity with the expressed opinion of Mr. H. Belenden Ker and Mr. J. M. Ludlow, such facilities for obtaining charters of limited liability, or perhaps so altering the general law of joint-stock companies, as to extend the universally-recognised advantages of limited liability to all ranks and classes of the community. Probably the best form would be joint-stock companies with altogether limited liability, and regular publication of the names of the managers and the state of the accounts, but without publication of the names of the other shareholders. One consequence, undoubtedly, of the commandite principle is to prevent capitalists from being managers; and nothing is gained by the unlimited liability of men of straw. Some measures for attaining all these objects we hope to see introduced in the next session of Parliament, under such auspices as shall insure their success. Assuredly these are not times in which we can afford to waste years in waiting for legislative measures on which depend, in no small degree, the safety and well-being of the community.

Court Papers.

EQUITY SITTINGS, MICHAELMAS TERM, 1850.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at the Rolls.

Saturday	Nov. 2	Motions.
Monday	4	Petitions.
Tuesday	5	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Wednesday	6	
Thursday	7	Motions.
Friday	8	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday	9	
Monday	11	
Tuesday	12	Motions.
Wednesday	13	
Thursday	14	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Friday	15	
Saturday	16	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Monday	18	
Tuesday	19	
Wednesday	20	

Thursday	21	Motions.
Friday	22	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday	23	
Monday	25	Motions.

Short Causes, Consent Causes, Unopposed Petitions, and Claims every Saturday, at the sitting of the Court.

Notice.—Consent Petitions must be presented, and Copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

COMMON-LAW SITTINGS, IN AND AFTER MICHAELMAS TERM, 1850.

Court of Queen's Bench.

MIDDLESEX.—In Term.

1st sitting ..	Monday ..	Nov. 4, and following days, at 11.
2nd sitting..	Thursday	7, and subsequent days, at 11.
3rd sitting..	Friday	22, at half-past 9 precisely (for undefended causes only).

After Term.—Tuesday, Nov. 26, at half-past 9.

A list of causes will be printed immediately; but on the uncontradicted statement of either side that a cause is too long to be tried in term, it will be withdrawn from such list, and a small number of completed and new causes will be put into the list day by day, in their usual order.

LONDON.—In Term.

Sitting at 10, on Saturday, Nov. 23, for undefended causes, and such causes as are tried in Middlesex after term, with judgment of the term.

After Term.—Wednesday, Nov. 27, to adjourn.

N. B.—The hours of attendance at the Marshal's office of this Court will in future be from 11 till 5 during term and sittings, instead of from 11 to 2, and 6 to 8.

Court of Common Pleas.

In Term.

MIDDLESEX.	LONDON.
Thursday	Nov. 7
Thursday	14
Monday	Nov. 11
Monday	18

After Term.

Tuesday	Nov. 26
Wednesday	Nov. 27

The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Wednesday, the 27th November, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The office of the Marshal and Associate is at the Lord Chief Justice's Chambers, Rolls-garden, Chancery-lane. Hours of attendance during term, and the sittings after term, are from 11 to 5.

Exchequer of Pleas.

In Term.

MIDDLESEX.	LONDON.
1st sitting, Monday ..	Nov. 4
2nd sitting, Tuesday	12
3rd sitting, Tuesday	19
1st sitting, Monday, Nov. 11	
2nd sitting, Monday	18

After Term.

Tuesday	Nov. 26
Wednesday	Nov. 27

(To adjourn only).

The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment, from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

The Court will sit, during and after term, at ten o'clock.

The Queen has been pleased to grant unto Peter Laurie, Esq., of Lincoln's-inn, barrister at law, her royal license and authority that he and his issue may, in compliance with a request of Catherine Jack, spinster, deceased, take and henceforth use the surname of Northale, in addition to and before that of Laurie.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Thomas William Booker, Esq., for the county of Hereford, in the room of Joseph Bailey, Esq., deceased.

PUBLIC GENERAL STATUTES.

13 & 14 VICTORIA.—SESSION 3.

(Continued from p. 400).

CAP. C.

An Act for Inspection of Coal Mines in Great Britain.

[14th August, 1850.]

CAP. CI.

An Act to continue two Acts passed in the twelfth and thirteenth Years of the Reign of her Majesty, for charging the Maintenance of certain Poor Persons in Unions in England and Wales upon the Common Fund; and to make certain Amendments in the Laws for the Relief of the Poor.

[14th August, 1850.]

CAP. CII.

An Act to consolidate and amend the Acts relating to certain Offences and other Matters as to which Justices of the Peace exercise a summary Jurisdiction in Ireland.

[14th August, 1850.]

CAP. CIII.

An Act to authorise further Charges on "The London Bridge Approaches Fund" for the Completion of certain Improvements in the Metropolis.

[14th August, 1850.]

CAP. CIV.

An Act to extend and amend the Acts relating to the Copyright of Designs.

[14th August, 1850.]

- Sect. 1. *Certain Designs may be registered provisionally for one Year.*
2. *Benefits conferred by provisional Registration.*
3. *The Exhibition of provisionally registered Designs in certain Places not to defeat Copyright, &c.*
4. *Sale of Articles to which provisionally registered Designs, &c. have been applied to defeat Copyright, but Design itself may be sold.*
5. *Extension of Period of provisional Registration by Board of Trade.*
6. *Registration of Sculpture, Models, &c.*
7. *Benefits conferred by Registration of Sculpture, &c.*
8. *Designs for ornamenting Ivory, &c. may be registered under Designs Act, 1842, for three Years.*
9. *Board of Trade may extend Copyright in ornamental Designs.*
10. *Regulations for the Registration of Designs may be made by Board of Trade.*
11. *Registrar of Designs may dispense with Drawings, &c. in certain Cases.*
12. *Public Books and Documents in the Designs Office not to be removed without Judge's Order.*
13. *Judges may order Copies of Documents to be furnished to be given in Evidence.*
14. *Copies of Documents delivered by the Registrar to be sealed, and to be Evidence.*
15. *Certain Provisions of Designs Acts, 1842 and 1843, extended to this Act.*
16. *Interpretation of Terms.*
17. *Short Title.*

Whereas it is expedient to extend and amend the acts relating to the copyright of designs: be it therefore enacted, &c.

Sect. 1. That the registrar of designs, upon application by or on behalf of the proprietor of any design not previously published within the United Kingdom of Great Britain and Ireland or elsewhere, and which may be registered under the Designs Act, 1842, or under the Designs Act, 1843, for the provisional registration of such design under this act, and upon being furnished with such copy, drawing, print, or description, in writing or in print, as in the judgment of the said registrar shall be sufficient to identify the particular design in respect of which such registration is desired, and the name of the person claiming to be proprietor, together with his place of abode or business, or other place of address, or the style or title of the firm under which he may be trading, shall register such design in such manner and form as shall from time to time be prescribed or approved by the Board of Trade; and any design so registered shall be deemed "provisionally registered," and the registration thereof shall continue in force for the term of

one year from the time of the same being registered as aforesaid; and the said registrar shall certify, under his hand and seal of office, in such form as the said board shall direct or approve, that the design has been provisionally registered, the date of such registration, and the name of the registered proprietor, together with his place of abode or business, or other place of address.

2. That the proprietor of any design which shall have been provisionally registered shall, during the continuance of such registration, have the sole right and property in such design; and the penalties and provisions of the said Designs Act, 1842, for preventing the piracy of designs, shall extend to the acts, matters, and things next hereinafter enumerated, as fully as if those penalties and provisions had been re-enacted in this act, and expressly extended to such acts, matters, and things respectively; that is to say—

1. To the application of any provisionally registered design, or any fraudulent imitation thereof, to any article of manufacture or to any substance.
2. To the publication, sale, or exposure for sale of any article of manufacture or any substance to which any provisionally registered design shall have been applied.
3. That during the continuance of such provisional registration neither such registration nor the exhibition or exposure of any design provisionally registered, or of any article to which any such design may have been or be intended to be applied, in any place, whether public or private, in which articles are not sold or exposed or exhibited for sale, and to which the public are not admitted gratuitously, or in any place which shall have been previously certified by the Board of Trade to be a place of public exhibition within the meaning of this act, nor the publication of any account or description of any provisionally registered design exhibited or exposed or intended to be exhibited or exposed in any such place of exhibition or exposure in any catalogue, paper, newspaper, periodical, or otherwise, shall prevent the proprietor thereof from registering any such design under the said Designs Acts at any time during the continuance of the provisional registration, in the same manner and as fully and effectually as if no such registration, exhibition, exposure, or publication had been made; provided that every article to which any such design shall be applied, and which shall be exhibited or exposed by or with the license or consent of the proprietor of such design, shall have thereon or attached thereto the words "provisionally registered," with the date of registration.
4. That if during the continuance of such provisional registration the proprietor of any design provisionally registered shall sell, expose, or offer for sale any article, substance, or thing to which any such design has been applied, such provisional registration shall be deemed to have been null and void immediately before any such sale, offer, or exposure shall have been first made; but nothing herein contained shall be construed to hinder or prevent such proprietor from selling or transferring the right and property in any such design.
5. That the Board of Trade may by order in writing with respect to any particular class of designs, or any particular design, extend the period for which any design may be provisionally registered under this act, for such term not exceeding the additional term of six months as to the said Board may seem fit; and whenever any such order shall be made, the same shall be registered in the office for the registration of designs, and during the extended term the protection and benefits conferred by this act in case of provisional registration shall continue as fully as if the original term of one year had not expired.
6. That the registrar of designs, upon application by or on behalf of the proprietor of any sculpture, model, copy, or cast within the protection of the Sculpture Copyright Acts, and upon being furnished with such copy, drawing, print, or description, in writing or in print, as in the judgment of the said registrar shall be sufficient to identify the particular sculpture, model, copy, or cast in respect of which registration is desired, and the name of the person claiming to be proprietor, together with his place of abode or business or other place of address, or the name, style, or title of the firm under which he may be trading, shall register such sculpture, model, copy, or cast in such manner and form as shall from time to time be prescribed or approved by the Board of Trade for the whole or any part of the term during which copyright in such sculpture, model, copy, or cast may or shall exist under the Sculpture Copyright Acts; and whenever any such

registration shall be made, the said registrar shall certify under his hand and seal of office, in such form as the said Board shall direct or approve, the fact of such registration, and the date of the same, and the name of the registered proprietor, or the style or title of the firm under which such proprietor may be trading, together with his place of abode or business or other place of address.

7. That if any person shall, during the continuance of the copyright in any sculpture, model, copy, or cast which shall have been so registered as aforesaid, make, import, or cause to be made, imported, exposed for sale, or otherwise disposed of, any pirated copy or pirated cast of any such sculpture, model, copy, or cast, in such manner and under such circumstances as would entitle the proprietor to a special action on the case under the Sculpture Copyright Acts, the person so offending shall forfeit for every such offence a sum not less than 5*l.* and not exceeding 30*l.* to the proprietor of the sculpture, model, copy, or cast whereof the copyright shall have been infringed; and for the recovery of any such penalty the proprietor of the sculpture, model, copy, or cast which shall have been so pirated shall have and be entitled to the same remedies as are provided for the recovery of penalties incurred under the Designs Act, 1842: provided always, that the proprietor of any sculpture, model, copy, or cast which shall be registered under this act shall not be entitled to the benefit of this act, unless every copy or cast of such sculpture, model, copy, or cast which shall be published by him after such registration shall be marked with the word "registered," and with the date of registration.

8. That designs for the ornamenting of ivory, bone, papier maché, and other solid substances not already comprised in the classes numbered 1, 2, or 3 in the Designs Act, 1842, shall be deemed and taken to be comprised within the class numbered 4 in that act, and such designs shall be so registered accordingly.

9. That the Board of Trade may from time to time order that the copyright of any class of designs or any particular design registered or which may be registered under the Designs Act, 1842, may be extended for such term, not exceeding the additional term of three years, as the said Board may think fit, and the said Board shall have power to revoke or alter any such order as may from time to time appear necessary; and whenever any order shall be made by the said Board under this provision, the same shall be registered in the office for the registration of designs; and during the extended term the protection and benefits conferred by the said Designs Acts shall continue as fully as if the original term had not expired.

10. That the Board of Trade may from time to time make, alter, and revoke rules and regulations with respect to the mode of registration, and the documents and other matters and particulars to be furnished by persons effecting registration and provisional registration under the said acts and this act: provided always, that all such rules and regulations shall be published in the London Gazette, and shall forthwith upon the issuing thereof be laid before Parliament, if Parliament be sitting, and if Parliament be not sitting, then within fourteen days after the commencement of the then next session; and such rules and regulations, or any of them, shall be published or notified by the registrar of designs in such other manner as the Board of Trade shall think fit to direct.

11. That if in any case in which the registration of a design is required to be made under either of the said Designs Acts it shall appear to the registrar that copies, drawings, or prints as required by those acts cannot be furnished, or that it is unreasonable or unnecessary to require the same, the said registrar may dispense with such copies, drawings, or prints, and may allow in lieu thereof such specification or description in writing or in print as may be sufficient to identify and render intelligible the design in respect of which registration is desired; and whenever registration shall be so made in the absence of such copies, drawings, or prints, the registration shall be as valid and effectual to all intents and purposes as if such copies, drawings, or prints had been furnished.

12. That in order to prevent the frequent and unnecessary removal of the public books and documents in the office for the registration of designs, no book or document in the said office shall be removed for the purpose of being produced in any court or before any justice of the peace, without a special order of a judge of the Court of Chancery, or of one of her

Majesty's superior courts of law, first had and obtained by the party who shall desire the production of the same.

13. That if application shall be made to a judge of any of her Majesty's courts of law at Westminster by any person desiring to obtain a copy of any registration, entry, drawing, print, or document, of which such person is not entitled as of right to have a copy, for the purpose of being used in evidence in any cause, or otherwise howsoever, and if such judge shall be satisfied that such copy is bona fide intended for such purpose as aforesaid, such judge shall order the registrar of designs to deliver such copy to the party applying, and the registrar of designs shall, upon payment for the same of such fee or fees as may be fixed according to the provisions of the said Designs Act in this behalf, deliver such copy accordingly.

14. That every copy of any registration, entry, drawing, print, or document delivered by the registrar of designs to any person requiring the same shall be signed by the said registrar, and sealed with his seal of office; and every document sealed with the said seal, purporting to be a copy of any registration, entry, drawing, print, or document, shall be deemed to be a true copy of such registration, entry, drawing, print, or document, and shall, without further proof, be received in evidence before all Courts in like manner and to the same extent and effect as the original book, registration, entry, drawing, print, or document would or might be received if tendered in evidence, as well for the purpose of proving the contents, purport, and effect of such book, registration, entry, drawing, print, or document, as also proving the same to be a book, registration, entry, drawing, print, or document of or belonging to the said office, and in the custody of the registrar of designs.

15. That the several provisions contained in the said Designs Acts (so far as they are not repugnant to the provisions of this act) relating to the transfer of designs, to cancelling and amending registration, to the refusal of registration in certain cases, to the mode of recovering penalties, to the awarding and recovering of costs, to actions for damages, to the limitation of actions, to the certificate of registration, to penalties for wrongfully using marks, to the fixing and application of fees for registration, and to the penalty for extortion, shall apply to the registration, provisional registration, and transfer of designs, sculptures, models, copies, and casts, and to the designs, sculptures, models, copies, and casts entitled to protection under this act, and to matters under this act, as fully and effectually as if those provisions had been re-enacted in this act with respect to designs, sculptures, models, copies, and casts registered and provisionally registered under this act; and the forms contained in the Designs Act, 1842, may for the purposes of this act be varied so as to meet the circumstances of the case.

16. That in the interpretation of this act the following terms and expressions shall have the meanings hereinafter assigned to them, unless such meanings shall be repugnant to or inconsistent with the context or subject-matter; that is to say—

The expression "Designs Act, 1842," shall mean an act passed in the sixth year of the reign of her present Majesty, intituled "An Act to consolidate and amend the Laws relating to the Copyright of Designs for ornamenting Articles of Manufacture:"

The expression "Designs Act, 1843," shall mean an act passed in the seventh year of her present Majesty, intituled "An Act to amend the Laws relating to the Copyright of Designs:"

The expression "Sculpture Copyright Acts" shall mean two acts passed respectively in the thirty-eighth and fifty-fourth years of the reign of King George III. and intituled respectively "An Act for encouraging the Art of making new Models and Casts of Busts and other Things herein mentioned," and "An Act to amend and render more effectual an Act for encouraging the Art of making new Models and Casts of Busts and other Things therein mentioned:"

The expression "the Board of Trade" shall mean the Lords of the Committee of Privy Council for the consideration of all matters of trade and plantations:

The expression "registrar of designs" shall mean the registrar or assistant registrar of designs for articles of manufacture:

The expression "proprietor" shall be construed according to the interpretation of that word in the said Designs Act, 1842:

And words in the singular number shall include the plural, and words applicable to males shall include females.

17. That in citing this act in other acts of Parliament, and in any instrument, document, or proceeding, it shall be sufficient to use the words and figures following, that is to say, "The Designs Act, 1850." —

CAP. CV.

An Act for facilitating the Union of Liberties with the Counties in which they are situate. [14th August, 1850.]

CAP. CVI.

An Act to continue, for a Time to be limited, an Act of the eleventh Year of her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of Ireland. [14th August, 1850.]

CAP. CVII.

An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year 1850; and to appropriate the Supplies granted in this Session of Parliament. [15th August, 1850.]

CAP. CVIII.

An Act for confirming certain further Provisional Orders of the General Board of Health. [15th August, 1850.]

CAP. CIX.

An Act to enlarge and extend the Powers of an Act of the ninth and tenth Years of her present Majesty, intituled "An Act to enable the Commissioners of her Majesty's Woods to construct a new Street from Spitalfields to Shoreditch." [15th August, 1850.]

CAP. CX.

An Act to continue the Act for amending the Laws relating to Savings Banks in Ireland. [15th August, 1850.]

CAP. CXI.

An Act to relieve the Chester and Holyhead Railway Company from contributing towards the Expense of the proposed new Harbour at Holyhead, and to take away the Powers of the said Company in Relation to such Harbour. [15th August, 1850.]

CAP. CXII.

An Act to vest in the Commissioners of Public Works in Ireland certain Works and Rights of the Lough Corrib Improvement Company, and to compensate such Company for the same. [15th August, 1850.]

CAP. CXIII.

An Act to authorise the Transfer of Loans for the Improvement of Land in Ireland to other Land. [15th August, 1850.]

CAP. CXIV.

An Act to repeal the Stamp-duties on Proceedings in the Courts of Law in Ireland, and to grant certain other Stamp-duties in Lieu thereof. [15th August, 1850.]

CAP. CXV.

An Act to consolidate and amend the Laws relating to Friendly Societies. [15th August, 1850.]

Sect. 1. Repeal of 10 Geo. 4, c. 56; 2 & 3 Will. 4, c. 37; & 5 Will. 4, c. 40; 3 & 4 Vict. c. 73; 9 & 10 Vict. c. 27.

2. Objects for which friendly societies may be established. It limited to societies not assuring above 100*l.*, or annuity of *l.*, or allowance of 20*s.* per week in sickness.

3. No sum to be paid on the death of a child except for funeral. Certificate of surgeon or coroner required before money is paid on death of a member.

4. Power to repeal or alter rules, and appoint committee of officers.

5. Separate accounts to be kept of money paid and received for each particular fund or benefit.

6. Society or branch not legally established till rules certified.

7. Registrar to give certificate. Certified friendly societies. Registered societies.

8. Societies granting annuities to have tables of such annuities certified by actuary.

9. Fees to be paid to registrar for certificates.

10. Appointment and salary of registrar.

11. Treasurer to give bond.

12. Trustees, &c. to invest funds.

13. Property vested in trustees. Trustees may sue and be sued. No person to be deemed a trustee until his appointment shall have been forwarded to the registrar.

14. Limitation of responsibility of treasurer, &c. Treasurer, &c. liable for money actually received.

15. Trustees to transmit annual return to registrar.

16. In default of such return, trustees to be incapable of bringing action.

17. Quinquennial returns to be sent to registrar.

18. Registrar to prepare abstract of returns to be laid before Parliament.

19. When trustees shall be absent, &c. registrar may order stock to be transferred and dividends paid.

20. Act to be an indemnity to the Bank.

21. Provisions of 39 Geo. 3, c. 79, and of 57 Geo. 3, c. 19, not to extend to friendly societies under this act.

22. Disputes between society and trustees to be settled according to rules. Questions of equity to be settled by county court, or sheriff court of Scotland.

23. Rules for arbitration, where such is appointed by rules. Justices may enforce the award.

24. If no arbitrators appointed, or no award given, justices may decide.

25. In case member is unjustly expelled, arbitrators or justices may direct such member to be reinstated, and in default may award a sum of compensation.

26. In case of fraud or imposition on the funds, justices may summon the parties, and hear the complaint. Upon proof of fraud, justices may award double the amount obtained, &c. If money awarded is not paid, the same may be levied by distress. In default of distress, offender may be committed to prison.

27. Orders of justices to be final, and not removable into court of law, &c.

28. Treasurers, &c. to render accounts, and upon demand pay over monies, &c. to party appointed by society, &c.; and in case of neglect application may be made to the registrar, who shall proceed thereupon in a summary way.

29. On such reference registrar may inspect books and administer oaths. False evidence perjury.

30. Orders, &c. to be binding without appeal.

31. Secretary of State to fix amount of fees payable on reference, and registrar to determine who shall pay them.

32. Member of friendly society may be a witness.

33. Minors may be members, and have legal authority to act, but not to hold office.

34. Consent necessary for dissolution of society.

35. Rules, &c. under hand of registrar to be received without proof of signature.

36. Executors, &c. of officers of certified friendly societies to pay money due to society before any other debts, within forty days after demand in writing.

37. Member belonging to more than one society not to be entitled to benefits exceeding 100*l.*, or 30*l.* annuity, or 20*s.* sickness.

38. Power to certified societies to invest monies with National Debt Commissioners, upon declaration that they belong exclusively to the society. In case declaration not true money to be forfeited, and applied in manner directed by 9 Geo. 4, c. 92.

39. Powers of attorney, &c. not liable to stamp-duty.

40. For payment of sums not exceeding 50*l.* when members die intestate.

41. Payments to persons who appear to trustees to be entitled to effects of deceased intestate members declared valid; but next of kin, &c. to have remedy against the party who receives the same.

42. Payment on death of members to be made to executors, &c., and not to nominees.

43. Existing friendly societies not to invest with National Debt Commissioners except for assurances made before passing of this act.

44. Declaration to be made by trustees on investment. If declaration not true, money to be forfeited, and applied in manner directed by 9 Geo. 4, c. 92.

45. Exemption from stamp-duty not applicable to societies granting assurances above the limits of this act.

46. Societies established under repealed acts to be entitled to exemptions and privileges of this act, if they do not grant assurances beyond the limits of this act.

47. Societies not to re-deposit monies with Commissioners for Reduction of National Debt without consent of Comptroller-General.

48. Provisions of this act may be applied to benevolent and charitable societies formed by voluntary subscription, &c., if rules are registered in pursuance of this act.

49. Construction of terms.

50. Public act.

51. Act to be in force for one year.

52. Act may be amended &c.

CAP. CXVI.

An Act to amend an Act passed in the tenth Year of her present Majesty's Reign, for empowering the Commissioners of her Majesty's Woods to purchase Land for a Harbour of Refuge and Breakwater in the Isle of Portland; and to make further Provisions for the Division and Application of the Purchase-money. [15th August, 1850.]

London Gazette.

TUESDAY, OCTOBER 22.

BANKRUPTS.

FREDERICK LA MARK and GEORGE LA MARK, Water-lane, Tower-street, London, ship brokers, Nov. 5 and Dec. 6 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Wright & Bonner, 15, London-street, Fenchurch-street.—Petition filed Oct. 22.

JAMES STEVENS TRIPP, Lombard-street-chambers, Clement's-lane, London, dealer in railway and other shares and public securities, commission agent, trader, dealer and chapman, Nov. 5 and Dec. 6 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Messrs. Linklater, Charlotte-row, Mansion-house.—Petition filed Oct. 21.

JAMES M'MONNIES, Liverpool, corn and commission merchant, dealer and chapman, (trading at Liverpool aforesaid with William M'Monnies, of New York, in the United States of America, under the style or firm of M'Monnies, Brothers, & Co., and also trading at New York with William M'Monnies, under the style or firm of William M'Monnies & Co.), Nov. 8 and 29 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Yates, jun., Liverpool.—Petition filed Oct. 17.

JOHN INGS, Henley in Arden, Warwickshire, surgeon and apothecary, Nov. 4 and Dec. 2 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Mottram & Co., Birmingham.—Petition dated Oct. 9.

EDWARD ARMYTAGE, Clifton-bridge, near Halifax, and Colne-bridge, near Huddersfield, Yorkshire, cotton spinner and doubler, Nov. 4 and 25 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Atkinson & Co., Manchester; Bond & Barwick, Leeds.—Petition dated Oct. 10.

MEETINGS.

George Evans Baker, Broadway, Deptford, Kent, grocer, Nov. 5 at 1, Court of Bankruptcy, London, last ex.—**John Henry Spicer**, Wandsworth Paper-mills, Wandsworth, Surrey, paper maker, Nov. 2 at 12, Court of Bankruptcy, London, last ex.—**Wm. Harding**, Crawford-street, St. Marylebone, Middlesex, corn dealer, Nov. 5 at 11, Court of Bankruptcy, London, last ex.—**Edwin Hyrons**, John-street, Tottenham-court-road, Middlesex, pianoforte manufacturer, Nov. 8 at half-past 12, Court of Bankruptcy, London, last ex.—**J. Winder** and **Richard Fisher**, Liverpool, merchants, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of **J. Winder**; Nov. 22 at 11, div. sep. est. of **J. Winder**.—**Thos. Occleshead** and **Chas. Cummins**, Liverpool, commission agents, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**Robert Williams**, Liverpool, tailor, Nov. 22 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**J. Meredith**, Tattenhall, Cheshire, maltster, Nov. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 15 at 11, div.—**H. Clarke**, Liverpool, merchant, Nov. 7 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**Robt. Adams** and **Thomas Banks**, Liverpool, cattle salesmen, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 22 at 11,

div.—**J. B. Blundell**, Seacombe, Cheshire, rectifier, Nov. 22 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**W. Puleston**, Wrexham, Denbighshire, draper, Nov. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 15 at 11, div.—**Peter Fielding**, Rhyl, Flintshire, hotel keeper, Nov. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 15 at 11, div.—**Hugh Parry**, Abergelle, Denbighshire, druggist, Nov. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 15 at 11, div.—**William Robinson**, Saddleworth, Yorkshire, dyer, Nov. 11 at 1, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 12 at 1, fin. div.—**Noel G. Bond**, Huddersfield, Yorkshire, bookseller, Nov. 5 at 12, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 12 at 12, div.—**Thomas Potts**, Birmingham, metallic tube manufacturer, Nov. 2 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—**Wm. Stiles**, Lisle-st., Leicester-square, Middlesex, coppersmith, Nov. 12 at 12, Court of Bankruptcy, London, div.—**Edward Nairne**, Warnford-court, London, stockbroker, Nov. 6 at 11, Court of Bankruptcy, London, div.—**Richard Champion**, Friday-st., London, furrier, Nov. 12 at 11, Court of Bankruptcy, London, fin. div.—**Wm. Henry Pitcher**, Guildford-st., Russell-square, Middlesex, dealer and chapman, Nov. 12 at half-past 11, Court of Bankruptcy, London, div.—**Richard Dori** and **Joseph Brown**, Bedford-st., Covent-garden, Middlesex, coach lace manufacturers, Nov. 11 at half-past 11, Court of Bankruptcy, London, div.—**Fried Westover**, Lewisham, Kent, cheesemonger, Nov. 11 at half-past 12, Court of Bankruptcy, London, div.—**Chas. Wood**, New Bond-st., Middlesex, cook and confectioner, Nov. 8 at half-past 12, Court of Bankruptcy, London, div.—**Alexander Inglis**, Portsea, Southampton, draper, Nov. 14 at half-past 1, Court of Bankruptcy, London, div.—**Timothy Harvey**, Newark-upon-Trent, Nottinghamshire, miller, Nov. 15 at 12, District Court of Bankruptcy, Nottingham, aud. ac. and div.—**Robert Britton**, Bradford, Yorkshire, grocer, Nov. 12 at 11, District Court of Bankruptcy, Leeds, fin. div.—**Robert Lund**, Blackburn, Lancashire, cotton spinner, Nov. 14 at 12, District Court of Bankruptcy, Manchester, div.—**J. Sharples** the elder and **John Sharples** the younger, Daisyfield, near Blackburn, Lancashire, cotton spinners, Nov. 14 at 12, District Court of Bankruptcy, Manchester, fin. div.—**J. Gouldbrough**, Manchester, manufacturer, Nov. 15 at 12, District Court of Bankruptcy, Manchester, div.—**George Barton** and **John Barton**, Manchester, copper roller manufacturers, Nov. 13 at 12, District Court of Bankruptcy, Manchester, fin. div.—**Jonathan Higginson** and **Richard Deane**, Liverpool, merchants, Nov. 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 15 at 11, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Richard Stone, New Oxford-st., Middlesex, tallow chandler, Nov. 11 at 1, Court of Bankruptcy, London.—**David Clement**, Neath, Glamorganshire, saddler, Nov. 13 at 11, District Court of Bankruptcy, Bristol.—**James Esley**, Boothroyd, Dewbury, Yorkshire, blanket manufacturer, Oct. 12 at 11, District Court of Bankruptcy, Leeds.—**George Friend**, Kidderminster, Worcestershire, bookseller, Nov. 13 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Wm. Simmons, Piccadilly, Middlesex, tobacconist.—**Thos. Luckes**, Exeter, provision dealer.

SCOTCH SEQUESTRATIONS.

J. W. Hedderwick & Co., Glasgow, distillers.—**Hugh Eric Paisley**, painter.—**James Birnie**, deceased, Dundee, manufacturer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Poole, Wheelock, Sandbach, Cheshire, farmer, Oct. 29 at 10, County Court of Cheshire, at Congleton.—**William Masters Sargent**, Poorstock, Dorsetshire, farmer, Nov. 6 at 10, County Court of Dorset, at Bridport.—**Maris Alcock**, Chorlton-upon-Medlock, Lancashire, lodging-house keeper, Nov. 1 at 2, County Court of Lancashire, at Manchester.—**Samuel Barber**, Great Yarmouth, Norfolk, tinman, Nov. 5 at 10, County Court of Norfolk, at Great Yarmouth.—**Thos. Ellis** the younger, Yarm, Yorkshire, servant to a licensed victualler, Nov. 12 at half-past 9, County Court of Durham, at

Stockton.—*Thomas Cole Peacock*, Melbourne, Thornton, near Pocklington, Yorkshire, surgeon, Nov. 16 at 11, County Court of Yorkshire, at Pocklington.—*James Beattie*, Reading, Berkshire, draper, Nov. 11 at half-past 11, County Court of Berkshire, at Reading.—*Richard Bigg*, Sheerness, Isle of Sheppy, Kent, licensed victualler, Nov. 18 at 10, County Court of Kent, at Sheerness.—*Ann Jones*, Oldham, Lancashire, shopkeeper, Oct. 25 at 11, County Court of Lancashire, at Oldham.—*John Treherne*, Ross, Herefordshire, gardener, Nov. 16 at 10, County Court of Herefordshire, at Ross.—*John Price*, Minster, Isle of Thanet, Kent, carpenter, Oct. 26 at 10, County Court of Kent, at Ramsgate.—*Jas. Melhuish*, Exmouth, Littleham, Devonshire, baker, Nov. 9 at 10, County Court of Devonshire, at Exeter.—*Cornelius Springett*, Jinton, Kent, assistant to a beer-shop keeper, Nov. 5 at 12, County Court of Kent, at Maidstone.—*Henry Lott*, Whitstable, Kent, out of business, Oct. 28 at 10, County Court of Kent, at Canterbury.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 5 at 11, before Mr. Commissioner HARRIS.

James P. Brewer, Westbourn-st., Pimlico, Middlesex, out of business.—*James W. Hammond*, Brownlow-road, Queen's-road, Dalston, Middlesex, clerk in the employ of the Eastern Counties Railway Company.—*Anais Louisa D'Espourrin*, Great Quebec-st., New-road, Marylebone, Middlesex, professor of music.—*Anthony Nye*, Charlotte-st., Caledonian-road, Middlesex, out of business.—*J. Hishen*, Ivy-cottage, Spring-place, Kentish-town, Middlesex, traveller to a colour manufacturer.—*Samuel H. Whittell*, Dean-st., Soho, Middlesex, tailor.—*John Shattock*, Remington-st., City-road, Middlesex, attorney-at-law.—*James Dell*, Adam-street East, Portman-square, Marylebone, Middlesex, ink manufacturer.—*Samuel Drury*, Willis-street, Poplar New-town, Middlesex, police constable.—*Louis G. I. Bonnet*, Acacia-place, St. John's-road, Marylebone, Middlesex, clerk in the General Register-office, Somerset-house, Strand, Middlesex.

Nov. 5 at 10, before Mr. Commissioner LAW.

Henry Levington, Grigg's-place, Grange-walk-road, Bermondsey, Surrey, wine cooper.—*Henry Perrin*, Union-road, Albany-road, Camberwell, Surrey, bookkeeper.—*John Troake*, Cornwall-road, Lambeth, Surrey, baker.—*John Hunt*, King-street-road, Hoxton, Middlesex, cowkeeper.—*S. Marchant*, Salem-place, Walham-green, Fulham, Middlesex, ironmonger.

Nov. 6 at 11, before the CHIEF COMMISSIONER.

Frances H. Wood, widow, Priory-place, Camberwell New-road, Camberwell, Surrey, never in any business.—*Charles Hock*, Deptford, Kent, blacksmith.—*J. Stephens*, Northumberland-mews, Marylebone, Middlesex, coachmaker.—*Thomas Scott*, Marchmont-place, Little Coram-street, Tavistock-sq., Middlesex, shoemaker.—*Peter Walker*, High-street, Poplar, Middlesex, licensed victualler.—*Thomas C. Fletcher*, Pemroke-sq., Kensington, Middlesex, out of business.—*Adam Goodison*, Queen-st., Brompton, Kensington, Middlesex, corn merchant.—*Cornelius Field*, Devonshire-place, Green-lanes, Newington-green, Middlesex, clerk in a merchant's office.—*George Levy*, York-place, City-road, Middlesex, auctioneer.

Nov. 6 at 10, before Mr. Commissioner LAW.

James Bussey, Bear-street, Leicester-sq., Middlesex, ironmonger.—*Thomas C. Shires*, Gloucester-place, High-street, Camden-town, Middlesex, plumber.—*Francis Spring*, Horse-roe-court, Clement's-lane, Clare-market, Middlesex, out of business.—*Daniel Osborne*, King-st., Whitehall, Westminster, Middlesex, assistant to a chemist.—*Thos. Marriott*, Chad's-w- King's-cross, Middlesex, licensed retailer of beer.

Nov. 6 at 11, before Mr. Commissioner PHILLIPS.

Samuel Perry, King-st., Westminster, Middlesex, eating-house keeper.—*William Finer*, North-place, Kingsland-road, Middlesex, surgeon.—*Samuel Henry Peters*, Russell-street, Ermondsey, Surrey, out of business.—*John Mason*, Great Chapel-st., Middlesex, tobacconist.—*Robert Coates* the elder, Oxley-road, Camberwell New-road, Surrey, landscape gardener.—*Robert Woodd Ashdown*, Cottage-place, West-street, Newington, Surrey, gas-fitter.—*John Hunt*, Limekiln-hill, Limehouse, Middlesex, licensed victualler.—*George Nash*,

Stuckley-terrace, Hampstead-road, Camden-town, Middlesex, hairdresser.—*Alexander Henck*, Blisset-st., Greenwich, Kent, clerk to a Gas Company.—*John Painter*, Rydon-terrace, Shepherdess-walk, City-road, Middlesex, stockjobber.—*Wm. Roberts*, Charlotte-mews, Charlotte-street, Tottenham-court-road, Middlesex, farrier.

Nov. 7 at 11, before the CHIEF COMMISSIONER.

Ann Stacey, Surrey-street, Strand, Middlesex, not in any business.—*Philip Davies*, Three Oak-lane, Horselydown, Surrey, grocer.—*Wm. H. Smithers*, Warwick-st., Regent-st., Middlesex, schoolmaster.—*James Ellis*, Wilmington-square and Guildford-street East, Clerkenwell, Middlesex, surgeon.—*Wm. D. Wright*, Shenfield, near Brentwood, Essex, bailiff to a farmer.—*Thomas J. Terrell*, Cotton-street, Poplar, Middlesex.

Nov. 6 at 11, before the CHIEF COMMISSIONER.

Thomas Sylvester Raffaelli, Grafton-street East, St. Pancras, Middlesex, artificial florist.

Saturday, Oct. 19.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

George William Ellis, Hackney-road, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Philip Alexander Harris*, Great Bell-alley, Moorgate-street, London, linendraper: in the Debtors Prison for London and Middlesex.—*Richard Smith*, Hoo, near Rochester, Kent, relieving overseer of the parish union of Hoo: in the Gaol of Surrey.—*John Reardon*, Hibernia-cottage, William-street, Harth-lane, Bethnal-green-road, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*Stephen Geo. Burridge*, The Oval, Hackney-road, Middlesex, licensed victualler: in the Queen's Prison.—*John Easton Clarke*, Broadwinor, Dorsetshire, innkeeper: in the Gaol of Dorchester.—*Samuel Drew*, Weymouth and Melcombe Regis, Dorsetshire, beer-house keeper: in the Gaol of Dorchester.—*Manley Hitchon*, Stead-hall, Brighouse, near Halifax, Yorkshire, gentleman: in the Gaol of York.—*George Laslett*, Hoaden-farm, Ash, Kent, farmer: in the Gaol of Canterbury.—*Charles Mercer*, Chesterfield, Derbyshire, spirit agent: in the Gaol of Leicester.—*John Sampson*, Praze, Crown, Cornwall, farmer: in the Gaol of Bodmin.—*John Evans*, Craig, Llanvairwaterdine, Shropshire, farmer: in the Gaol of Presteigne.—*William Handsley Podmore*, Plass Llanfair, Anglesea, North Wales, attorney-at-law: in the Gaol of Coventry.—*Benjamin Martin*, Walthamstow, Essex, farmer: in the Gaol of Springfield.—*Henry Spark*, Low Leyton, Essex, schoolmaster: in the Gaol of Springfield.—*Edward Scates*, Rivenhall, Essex, brickmaker: in the Gaol of Springfield.—*Titus Taylor*, Golcar, near Huddersfield, Yorkshire, clothier: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 7 at 11, before Mr. Commissioner HARRIS.

George Lidiard, Bethnal-green, East-side, Middlesex, out of business.—*Robert Williams*, Sekforde-street, Clerkenwell, Middlesex, cabinet maker.—*Joseph Smith*, Greek-street, Soho, Middlesex, wardrobe dealer.—*William Thompson*, Kennington-villas, Upper Kennington-lane, Surrey, surgeon.—*Adam Giffillan*, Burney-street, Greenwich-road, Kent, linendraper.

Nov. 7 at 11, before Mr. Commissioner PHILLIPS.

Joseph Sear, Globe-cottage, Russia-lane, Victoria-park, Middlesex, refining powder manufacturer.—*John Thomas Bennett*, Hemsworth-street, Hoxton Old-town, Middlesex, manufacturer of Caldwell's patent windlass.—*James Rogers*, Northumberland-street, Strand, Middlesex, in no trade.—*William Henry Neuber*, New Oxford-street, Middlesex, teacher of languages.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, Nov. 5.

James Ralph, Staple, near Wingham, licensed victualler.
At the County Court of Monmouthshire, at MONMOUTH, Nov. 15 at 2.

Thomas Jones, Bryngwyn, farmer.

At the County Court of Cornwall, at BODMIN, Nov. 6 at 10.
John Sampson, Paze, Crowan, farmer.

At the County Court of Essex, at CHELMSFORD, Nov. 7.
Henry Spark, Low Leyton, schoolmaster.—Edward Seales, Rivenhall, brickmaker.—Benjamin Martin, Walthamstow, farmer.

FRIDAY, OCTOBER 25.

BANKRUPTS.

JOHN RODEN, Stamford, Lincolnshire, draper, dealer and chapman, Nov. 8 at 1, and Dec. 10 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Mardon & Pritchard, Christchurch-chambers, Newgate-st., London.—Petition filed Oct. 19.

ROBERT TURNER, Worthing, Sussex, draper, clothier, dealer and chapman, Nov. 5 and Dec. 2 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Sole & Turner, 68, Aldermanbury, London.—Petition dated Oct. 19.

WILLIAM BINDER, Orsett, Essex, builder, dealer and chapman, Nov. 7 at 1, and Dec. 2 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Rawlings, 7, John-street, Bedford-row, and Romford, Essex.—Petition dated Oct. 22.

CALEB EVANS, Merthyr Tydvil, Glamorganhire, ironmonger, Nov. 8 at 12, and Dec. 4 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Leonard, Bristol.—Petition filed Oct. 2.

GEORGE HALL and FRANCIS SKELTON FELL, Tynemouth, Northumberland, timber merchants, dealers and chapmen, Nov. 5 at 12, and Dec. 10 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. J. & J. T. B. Tinley, Tynemouth; Holme & Co., New-inn, London.—Petition filed Oct. 22.

MEETINGS.

Charles Newton, Donyland Mills, near Wivenhoe, Essex, miller, Nov. 5 at 11, Court of Bankruptcy, London, last ex.—*John Mainprice*, Soham, Cambridgeshire, innkeeper, Nov. 8 at 11, Court of Bankruptcy, London, last ex.—*J. Ryder*, Liverpool, victualler, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, last ex.—*Wm. Alex. Reeves*, Maidstone, Kent, cabinet maker, Nov. 5 at 2, Court of Bankruptcy, London, and. ac.; Nov. 15 at 2, div.—*Merchant Traders' Ship Loan and Insurance Association*, Nov. 19 at 12, Court of Bankruptcy, London, and. ac. and div.—*John Richard West*, Mill-wall, Poplar, Middlesex, mastmaker, Nov. 9 at half-past 11, Court of Bankruptcy, London, and. ac.—*Charles John Hubbard*, Crutched-friars, London, and Saffron Walden, Essex, hop merchant, Nov. 9 at 11, Court of Bankruptcy, London, and. ac.—*Thomas Collingwood*, Nuneham Courtney, Oxfordshire, innkeeper, Nov. 9 at half-past 12, Court of Bankruptcy, London, and. ac.—*Henry Edward Ford and W. Reeves*, Leadenhall-st., London, insurance agents, Nov. 9 at half-past 12, Court of Bankruptcy, London, and. ac.—*David Stead*, George-st., Adelphi, Middlesex, patentee of wooden paving, Nov. 8 at 12, Court of Bankruptcy, London, and. ac.—*Joseph Nye*, Mill-pond Wharf, Surrey-canal, Surrey, pump maker, Nov. 8 at 12, Court of Bankruptcy, London, and. ac.—*Benj. Homan*, Westbourne-terrace, Paddington, Middlesex, builder, Nov. 8 at 2, Court of Bankruptcy, London, and. ac.—*Richard Thomas Peters*, High Holborn, Middlesex, hotel keeper, Nov. 8 at half-past 12, Court of Bankruptcy, London, and. ac.—*John Tomlin*, Finchley-common, Middlesex, licensed victualler, Nov. 8 at half-past 1, Court of Bankruptcy, London, and. ac.—*George Fuller*, Poultry, London, auctioneer, Nov. 8 at 1, Court of Bankruptcy, London, and. ac.—*Samuel Taylor*, Staines, Middlesex, grocer, Nov. 8 at 12, Court of Bankruptcy, London, and. ac.—*John Whitwell*, Mark-lane, London, corn factor, Nov. 4 at 1, Court of Bankruptcy, London, and. ac.—*James Wigg Hickling*, Man's Wharf, Montague-close, Southwark, Surrey, wharfinger, Nov. 8 at 11, Court of Bankruptcy, London, and. ac.—*Thomas Tibbitt*, March, Cambridgeshire, corn factor, Nov. 4 at 1, Court of Bankruptcy, London, and. ac.—*Thomas Sawtell*, Newport, Monmouthshire, baker and grocer, Nov. 22 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Wm. Jones*, Bristol, stationer and bookbinder, Nov. 29 at 11, District Court of Bankruptcy, Bristol, and. ac.—*James Robertson*, Liverpool, merchant, Nov. 8 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Henry Green*, Liverpool, iron-

monger, Nov. 18 at 11, District Court of Bankruptcy, Liverpool, and. ac.; Nov. 19 at 11, div.—*Francis Sanders and Charles Sanders*, Derby, corn merchants, Nov. 22 at 10, District Court of Bankruptcy, Nottingham, and. ac.—*Richard Patchett*, Manchester, licensed victualler, Nov. 8 at 12, District Court of Bankruptcy, Manchester, and. ac.—*John Gouldesbrough*, Manchester, manufacturer, Nov. 8 at 12, District Court of Bankruptcy, Manchester, and. ac.—*John Sharples the elder and John Sharples the younger*, Daisyfield, near Blackburn, Lancashire, cotton spinners, Nov. 7 at 12, District Court of Bankruptcy, Manchester, and. ac.—*George Barton and John Barton*, Manchester, copper roller manufacturers, Nov. 6 at 12, District Court of Bankruptcy, Manchester, and. ac.—*J. Square, Walter Prideaux the younger, and Walter W. Prideaux*, Kingsbridge, Devonshire, bankers, Nov. 6 at 1, District Court of Bankruptcy, Exeter, and. ac.; Nov. 20 at 11, div.—*Wm. Eddison*, Rastrick, Halifax, Yorkshire, fancy woollen manufacturer, Nov. 5 at 11, District Court of Bankruptcy, Leeds, and. ac.; Nov. 18 at 11, first and fin. div.—*Samuel France*, Bradford, Yorkshire, grocer, Nov. 5 at 11, District Court of Bankruptcy, Leeds, and. ac.; Nov. 18 at 11, div.—*George Messenger*, Uxbridge, Middlesex, draper, Nov. 14 at 12, Court of Bankruptcy, London, div.—*Thomas Rutherford*, Agnes-place, Waterloo-road, Surrey, Nov. 14 at 12, Court of Bankruptcy, London, div.—*Walter Gee*, Murray-st., Hoxton, Middlesex, straw hat manufacturer, Nov. 14 at 11, Court of Bankruptcy, London, div.—*John G. Peasegood*, Sheffield, Yorkshire, draper, Nov. 14 at half-past 11, Court of Bankruptcy, London, div.—*George Wm. Lee*, Landport, Portsea, Hampshire, auctioneer, Nov. 14 at 12, Court of Bankruptcy, London, div.—*John Prentice*, Oxford, ironmonger, Nov. 19 at 1, Court of Bankruptcy, London, div.—*Wm. Pownall*, Macclesfield, Cheshire, silk manufacturer, Nov. 19 at 11, Court of Bankruptcy, London, div.—*John E. Curtis*, Newport Pagnel, Buckinghamshire, printer, Nov. 15 at half-past 12, Court of Bankruptcy, London, div.—*James Dows*, Newbury, Berkshire, corn dealer, Nov. 15 at 1, Court of Bankruptcy, London, div.—*Louis Coquerel*, Leicester-sq., Middlesex, hotel keeper, Nov. 15 at 12, Court of Bankruptcy, London, div.—*Thomas Showell*, Ludgate-sq., Ludgate-hill, London, tailor, Nov. 15 at 1, Court of Bankruptcy, London, div.—*Henry Prior*, Sise-lane, London, stationer, Nov. 15 at half-past 11, Court of Bankruptcy, London, div.—*Wm. Elliott*, Lower-road, and Freeling-st., Caledonia-road, Islington, Middlesex, baker, Nov. 15 at 11, Court of Bankruptcy, London, div.—*Alexander M. Paterson*, John Walker, James Boydell, and Charles B. T. Roper, King's-road, Staffordshire, ironfounders, Nov. 18 at 10, District Court of Bankruptcy, Birmingham, and. ac. and div. sep. est. of *Charles B. T. Roper*.—*John Harford and Wm. Henry Davies*, Bristol, and Ebbw-valle and Sirhowy, Monmouthshire, ironmasters, Nov. 25 at 11, District Court of Bankruptcy, Bristol, fin. div. sep. est. of *John Harford*.—*A. Deleau*, Narberth, Pembrokeshire, grocer, Nov. 18 at 12, District Court of Bankruptcy, Bristol, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary as before the Day of Meeting.

Burrowes W. A. Sleigh, Bedford-st., Strand, Middlesex, printer, Nov. 18 at 11, Court of Bankruptcy, London.—*Samuel France*, Bradford, Yorkshire, grocer, Nov. 18 at 12, District Court of Bankruptcy, Leeds.—*John Jones*, Llanelli, Breconshire, coal merchant, Nov. 18 at 11, District Court of Bankruptcy, Bristol.—*Benjamin H. Bates*, Liverpool, merchant, Nov. 18 at 11, District Court of Bankruptcy, Liverpool.—*Samuel Wilkes*, Birmingham, clock dial maker, Nov. 18 at 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Matthews and John Martin, Chichester-place, King's-cross, Middlesex, drapers.—*Robert Henry Wood*, Birmingham, surgeon.

SCOTCH SEQUESTRATION.

Robert Kilpatrick and George M. Donald, Glasgow, commission merchants.

PARTNERSHIPS DISSOLVED.

Joseph J. Rae and Thos. A. Brown, Warwick-chambers, Warwick-court, Gray's-inn, Middlesex, solicitors and attorneys, (trading under the firm of Rae & Brown).—*Edw. Beal and Robert Wright*, Stone, Staffordshire, attorneys and solicitors, (trading under the firm of Messrs. Barlow & Wright).

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

W. Smith, Leicester, grocer, Nov. 14 at 10, County Court of Leicestershire, at Leicester.—*John A. Marchant*, Colyton, Devonshire, miller, Nov. 11 at 10, County Court of Devonshire, at Axminster.—*Francis Preston*, Northborough, Northamptonshire, farmer, Nov. 15 at 11, County Court of Northamptonshire, at Peterborough.—*Joseph Brown*, Bristol, driver of a hackney fly, Dec. 11 at 11, County Court of Gloucestershire, at Bristol.—*George Thomas* the elder, Bristol, carver, Dec. 11 at 11, County Court of Gloucestershire, at Bristol.—*Henry Wyatt*, Bristol, cattle doctor, Dec. 4 at 11, County Court of Gloucestershire, at Bristol.—*G. Oakley*, St. Alban's, Hertfordshire, publican, Oct. 30 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Wm. D. W. Smith*, Cheltenham, bricklayer, Nov. 19 at 10, County Court of Gloucestershire, at Cheltenham.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 8 at 11, before Mr. Commissioner HARRIS.

Stephen Stone, Church, Cobham, Surrey, dealer in coals.—*John Donohoe*, Green-street, Leicester-square, Middlesex, warehouseman.—*David Pattie*, All Saints'-place, Caledonian-road, King's-cross, Middlesex, out of business.—*A. B. Crofts*, Montford-place, Kennington-green, Surrey, out of business.—*Geo. H. Scrivenor*, Belvedere-road, Lambeth, Surrey, clerk in the Custom-house.

Nov. 8 at 10, before Mr. Commissioner LAW.

John Matthews the younger, Carr-street, Ben Jonson's-fields, Stepney, Middlesex, out of business.—*Frances Caroline Gillingham*, Wilson-street, Finsbury, Middlesex, milliner.—*Jas. H. Merrett*, Skinner-street, Bishopsgate-street Without, undertaker.—*Robert Parker*, Richard-street, Cornwall-road, Lambeth, Surrey, out of business.—*Wm. Legge*, Cambridge-terrace, Clapham-road, Surrey, surgeon.

Nov. 9 at 10, before Mr. Commissioner LAW.

A. Keene, spinster, Upper Stamford-st., Blackfriars-road, Surrey, out of business.—*Lewis Lyons*, Dean-street, Soho, Middlesex, umbrella frame maker.—*Geo. B. Allen*, Single-st., Bow-common, Bromley, Middlesex, out of business.—*Simon Boudell*, Soho-square, Middlesex, dentist's assistant.—*J. H. Hulls*, Upper Blossom-street, Shoreditch, Middlesex, cabinet maker.—*Chas. F. Henlen*, Star-corner, Bermondsey, Surrey, grocer.—*James Chant*, Burton-street, Eaton-square, Middlesex, senior clerk to the Land and Emigration Commissioners.—*John Wickenden*, St. John's-court, King-street, Snow-hill, London, pewterer.

Nov. 11 at 10, before Mr. Commissioner LAW.

George Haines, Bayham-street South, Camden-town, Middlesex, out of business.—*John Brindley*, John-street North, New-road, Middlesex, dairyman.—*Thomas Catley*, Marshall-street, Golden-square, Middlesex, tailor.—*William Minchin*, Turnham-green, Middlesex, licensed victualler.—*Thos. Joslin*, Paragon-place, New Kent-road, Surrey, dealer in patent medicines.

Nov. 8 at 10, before Mr. Commissioner LAW.

Wm. Bailey, Vauxhall-walk, Lambeth, Surrey, baker.

Nov. 9 at 11, before Mr. Commissioner PHILLIPS.

Wm. Wagner, Bath-place, New-road, St. Pancras, Middlesex, teacher of languages.—*James Davis*, Brunswick-street, Deptford, Kent, smith.—*J. Driscoll*, Rochester-row, Westminster, Middlesex, cheesemonger.—*Wm. T. Creese*, St. John-street, Clerkenwell, Middlesex, out of business.—*Jean Lemusat*, North-terrace, Mount-street, Mount-garden, Westminster-road, Surrey, musician.

Nov. 11 at 11, before Mr. Commissioner PHILLIPS.

John Fenton, Barking, Essex, linendraper.—*Henry Francis Leigh*, Paddenwick's-place, Webb's-lane, Albion-road, Hamersmith, Middlesex, clerk in the India Board of Control.—*William Wilson*, James-street, Kennington-common, Surrey, writer.—*John Doran*, Oak-place, Battersea, Surrey, green-rocer.—*John Viney*, Buckingham-row, Brewer's-green, Westminster, Middlesex, out of business.—*George Newman*, Oak-

tree-mews, Grove-road, St. John's-wood, Middlesex, servant.—*Richard King*, Brandon-street, Lock's-fields, New Kent-road, Surrey, out of business.—*John Macquenn*, Stanhope-place, Loughborough-road, Brixton, Surrey, of no business.—*Hugh Mason*, Great Chapel-street, Broadway, Westminster, Middlesex, tobacconist.—*John Woodward*, Aston-street, Stepney, Middlesex, merchant's clerk.

Nov. 11 at 11, before the CHIEF COMMISSIONER.

James Armitage Tweedy, Carline-street, Eaton-square, Piccadilly, Middlesex, greengrocer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 8 at 11, before Mr. Commissioner HARRIS.

Charles Edward Schoeller, Grafton-street East, Tottenham-court-road, Middlesex, out of business.—*Benjamin Edward Denham*, Regent-street, City-road, Middlesex, smith.

Nov. 11 at 10, before Mr. Commissioner LAW.

James Henry Hance, Southwark-bridge-road, Surrey, army and navy agent.—*Richard Smith*, Hoo, near Rochester, Kent, butcher.

Nov. 11 at 11, before the CHIEF COMMISSIONER.

William John Tucker, Idol-lane, Great Tower-street, London, wine merchant.—*John Read*, Albion-terrace, Derby-road, Kingland-road, Middlesex, warehouseman.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

William Smith, Manchester, out of business, No. 72,965; Thomas Mellor, assignee.—*John Cordingley*, Manchester, out of business, No. 72,958; Thomas Mellor, assignee.—*Miles Potter*, Layland, near Chorley, joiner, No. 72,919; Joseph Woods, assignee.—*James Howarth*, Huntley-brook, near Bury, out of business, No. 72,856; James Howarth, assignee.—*Henry Moran*, Bury, licensed victualler, No. 72,880; George Pickup, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Nov. 8 at 11.

Wm. Wood, Manchester, engraver.—*Archibald M'Lachlan*, Wigan, licensed victualler.—*James M'Lachlan*, Wigan, commercial traveller.—*Wm. Baker*, Manchester, fishmonger.—*Thomas Parkinson*, Manchester, out of business.—*John Wharton*, Salford, out of business.—*Edward Larkin*, Manchester, out of business.—*William Henry Mayoh*, Manchester, out of employment.

MEETINGS.

Hugh Doherty, Devonshire-street, Portland-place, Middlesex, Nov. 25 at 11, Moores', Warrford-court, London, div.—*John Barnjum*, Field-place, Lock's-fields, Surrey, dealer in hay, Nov. 11 at 12, Vandercora & Co.'s, Bush-lane, Cannon-street, London, sp. aff.

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EQUITY and BANKRUPTCY LECTURES, by RICHARD JEBB, Esq., Barrister at Law.

1. The Rights and Liabilities of Contributories under the Joint-stock Companies Winding-up Acts.
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3. The Trustee Act, 1850.
4. The Jurisdiction of the Court of Chancery as exercised for the Protection of the Persons and Property of Infants, more especially with reference to the Right of Parents to the Custody of their Children.
5. On the Restrictions imposed by the Rules of Equity upon Trustees, Solicitors, and others in Adjudicatory Situations, against obtaining Benefits for themselves in respect of the Property or Persons under their control or influence.
6. The principal Doctrines relating to the Bankrupt's Estate, and to Property of which he is the reputed owner.
7. The Law of Bankruptcy in Cases of Partnership.

COMMON LAW and CRIMINAL LAW LECTURES, by HENRY JOHN HODGSON, Esq., Barrister at Law.

1. The Law of Tort : General view of Injuries founded on Tort as distinguished from those founded on Contract; and the Principles applicable to Actions of Tort as regards the Parties suing and being sued, and as regards the Subject-matter of the Injury; with a Review of the different Forms of Actions of Tort and their Incidents.
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4. The Law of Forgery.

CONVEYANCING LECTURES, by EDWARD KENT KARS-LAKE, Esq., Barrister at Law.

These Lectures are intended to be Commentaries on Burton's Compendium of the Law of Real Property, and will follow the order of the several subjects described in the first seven chapters of that work; namely—1. Estates in Fee Simple; 2. Estates in Fee Tail; 3. Estate for Life; 4. Settlements; 5. Chattel Interests; 6. Incorporeal Tenements; and 7. Customary Estates.

The alterations introduced into the Law of Real Property by modern Statutes, as well as some of the most important Cases bearing on the Text, will be especially noticed.

ROBERT MAUGHAM, Secretary.

UNIVERSITY COLLEGE, LONDON.—LECTURES on JURISPRUDENCE.—PROFESSOR FOSTER, M.A., LL.D., will deliver an INTRODUCTORY LECTURE on TUESDAY, November 5, at Three o'clock P.M. Gentlemen will be admitted on producing their cards. The Course will commence on the Friday following, and will be arranged in three divisions, comprising—1. Law of Things. 2. Law of Persons. 3. International Law. The Lectures will be delivered on Tuesdays and Fridays, at Half-past Seven P.M. Fee for each of the first two divisions, 2l. 10s.; for the third, 2l.; for the entire Course, 6l.

HENRY MALDEN, A.M., Dean of the Faculty of Arts.

CHAS. C. ATKINSON, Secretary to the Council.

October 21, 1850.

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OR
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The Jurist

No. 721—VOL. XIV.

NOVEMBER 2, 1850.

PRICE 1s.

* * * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

House of Lords	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Queen's Bench	{ G. J. P. SMITH, Esq. of the Inner Temple; and W. B. BRETT, Esq. of Lincoln's Inn, Barristers at Law.
Privy Council	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	Queen's Bench Bail Court	{ H. PELLY HINDE, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Common Pleas, including Appeals under Registration of Voters Act. . .	{ W. PATERSON, Esq. of Gray's Inn; and J. R. BULWER, Esq. of the Inner Temple, Barristers at Law.
Master of the Rolls Court	{ G. Y. ROBSON, Esq. of the Inner Temple, Barrister at Law.	Court of Exchequer . . .	{ W. M. BEST, Esq. of Gray's Inn, Barrister at Law.
Vice-Chancellor of England's Court	{ CHARLES MARETT, Esq. of the Inner Temple, Barrister at Law.	Ecclesiastical and Admiralty Courts	{ J. P. DEANE, D.C.L. of Doctors' Commons.
Vice-Chancellor Knight Bruce's Court.....	{ W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.	Cases in Bankruptcy....	{ W. W. COOPER, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Crown Cases Reserved..	{ ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

* * * Owing to some accident we have but just received Mr. Tilsley's communication dated the 25th October. It shall appear in our next.

LONDON, NOVEMBER 2, 1850.

THE act of 1841, for abolishing the Equity Exchequer and appointing two new Vice-Chancellors, 5 Vict. c. 5, is somewhat singular in more than one respect. Sects. 20 and 21 are as follows:—"That when any vacancy shall occur in the office of the Vice-Chancellor who shall be first appointed under this act, it shall be lawful for her Majesty, by letters-patent, to appoint a fit person, being or having been a barrister-at-law of fifteen years standing at the least, to supply such vacancy; but that nothing in the act shall authorise the appointment of a successor to the Vice-Chancellor secondly appointed under the act." Now, the general notion of the reasons for this act is, that it was intended to meet the then existing state of arrears of Chancery business; and that, as it was supposed probable that when the arrears had been overcome, three Vice-Chancellors would no longer be necessary, it was intended as an experiment only to try whether three Vice-Chancellors would be more than would be permanently required. Mr. Pemberton Leigh, in his evidence before the Official Salaries Committee, says on this subject, "One of the Vice-Chancellors, I conceive, as appointed on account of the great arrears; and it is considered, that when the arrears were cleared off the business would be reduced, and that two Vice-Chancellors would be sufficient to transact the business." As the act, however, is worded, the effect of it is, that if the first vacancy had happened in the office of the Vice-Chancellor Knight Bruce, instead of that of Sir J. Wigram, the act would have authorised a fresh ap-

pointment, and the continuance of three Vice-Chancellors. On this point, Lord John Russell, in his evidence before the same Committee, seemed to think that one of the Vice-Chancellorships would cease upon the first vacancy. But Mr. Pemberton Leigh, a greater authority on the construction of acts of Parliament, is of a different opinion. He says, "It was considered that one of the Vice-Chancellorships would cease upon a vacancy, although the act is not so worded. I apprehend the object was that there should only be two Vice-Chancellors, and that when it happened that one dropped, there should be only two kept up. But the act, as I read it, is not so worded as to produce that effect. It says, that upon a vacancy occurring in the office of the Vice-Chancellor first appointed, it shall be filled up; but that, in case of the one secondly appointed, it shall not be filled up; so that if the one first appointed should drop, his office would have to be filled up."

The vacancy has happened, as the Legislature seems to have prophetically contemplated, in the office of the Vice-Chancellor secondly appointed; and now arises a fresh singularity in the operation of the act, apparently in contradiction to its supposed intention. By the 25th section it is enacted, "that the Vice-Chancellors to be appointed in pursuance of the act shall, during the continuance in office of the present Vice-Chancellor, respectively have rank and precedence next to the Chief Baron of the Court of Exchequer; and that the Vice-Chancellor to be appointed in pursuance of the act of 53 Geo. 3, c. 24, and the Vice-Chancellors to be appointed in pursuance of this act, shall, after the death of the present Vice-Chancellor, or his resignation or removal, have rank and precedence next to the Chief Baron of the Exchequer, and, as between themselves, according to seniority of appointment." By the 26th section, the salary of any future Vice-Chancellor to be appointed under the 53 Geo. 3, c. 24, is to be £5000, per annum.

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Q Q



Taking all these clauses together, the manifest intention of the Legislature was, maintaining the superior rank of the late Vice-Chancellor of England, to abolish after his death all distinction between the Vice-Chancellors, except that arising from seniority of appointment. But by a singular omission, the provision of the 53 Geo. 3, c. 24, by which the Vice-Chancellor thereunder to be appointed is to bear the title of Vice-Chancellor of England, is not varied; so that now the successor of the late Vice-Chancellor of England will have, as it would seem, a right to the title of Vice-Chancellor of England, without reference to whether he is the senior judge or not. The words of the act are, "that it shall be lawful for his Majesty, his heirs &c., to nominate and appoint from time to time, by letters-patent &c., a fit person, being a barrister-at-law of fifteen years standing at the least, to be an additional judge assistant to the Lord Chancellor &c., and to be called Vice-Chancellor of England." If the successor of any Vice-Chancellor of England should happen to be also the senior Vice-Chancellor, there will not be anything in itself inconsistent in his having also the titular distinction of Vice-Chancellor of England. But if the Vice-Chancellor appointed on any occasion under the 53 Geo. 3, c. 24, should be a person not already a Vice-Chancellor, there will be the rather strange anomaly of the junior Vice-Chancellor having but second rank under the 5 Vict., and yet bearing the title of Vice-Chancellor of England—a distinction which, although but a distinction in name, cannot fail in the eyes at least of the general public, to give a sort of superior rank.

It cannot be supposed that this was intended by the act of the 5 Vict., but such is, unless we have greatly misunderstood it, its effect; and it thus affords another instance of the carelessness with which acts of Parliament so frequently do, in effect, just the opposite of what they were plainly intended to do.

Court Papers.

EQUITY SITTINGS, MICHAELMAS TERM, 1850.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

Saturday	Nov. 2	Appeal Motions.
		<i>At Lincoln's Inn.</i>
Monday	4	General Petition-day.
Tuesday	5	} Appeals.
Wednesday	6	
Thursday	7	Appeal Motions.
Friday	8	Unopposed Petitions and Appeals.
Saturday	9	} Appeals.
Monday	11	
Tuesday	12	
Wednesday	13	
Thursday	14	Appeal Motions.
Friday	15	(Petition-day).—Unopposed Petitions and Appeals.
Saturday	16	} Appeals.
Monday	18	
Tuesday	19	
Wednesday	20	
Thursday	21	Appeal Motions.
Friday	22	(Petition-day).—Unopposed Petitions and Appeals.
Saturday	23	Appeals.
Monday	25	Appeal Motions and Appeals.

Vice-Chancellors' Courts.

Before VICE-CHANCELLOR KNIGHT BRUCE, at Westminster.

Saturday	Nov. 2	Motions.
		<i>At Lincoln's Inn.</i>
Monday	4	Petition-day.
Tuesday	5	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	6	Bankrupt Petitions and Ditto.

Thursday	7	Motions.
Friday	8	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	9	Short Causes, Claims for Hearing, and Petitions.
Monday	11	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	12	Bankrupt Petitions and Ditto.
Wednesday	13	Motions.
Thursday	14	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	15	Short Causes, Claims for Hearing, and Petitions.
Saturday	16	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	18	Bankrupt Petitions and Ditto.
Tuesday	19	Motions.
Wednesday	20	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Thursday	21	Short Causes, Claims for Hearing, and Petitions.
Friday	22	Motions.
Saturday	23	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	25	Short Causes, Claims for Hearing, and Petitions.

Before VICE-CHANCELLOR ROLFE, at Westminster.

Saturday	Nov. 2	Motions.
		<i>At Lincoln's Inn.</i>
Monday	4	General Petition-day.
Tuesday	5	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	6	Motions.
Thursday	7	Short Causes, Claims for Hearing, and Petitions by order.
Friday	8	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	9	Motions.
Monday	11	(Petition-day).—Unopposed Petitions first, Short Causes, and Claims for Hearing.
Tuesday	12	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	13	Motions.
Thursday	14	(Petition-day).—Unopposed Petitions first, Short Causes, and Claims for Hearing.
Friday	15	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	16	Motions.
Monday	18	(Petition-day).—Unopposed Petitions first, Short Causes, and Claims for Hearing.
Tuesday	19	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	20	Motions.
Thursday	21	(Petition-day).—Unopposed Petitions first, Short Causes, and Claims for Hearing.
Friday	22	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	23	Motions.
Monday	25	Pleas, Demurrers, Exceptions, Causes, and Further Directions.

EQUITY CAUSE LISTS, MICHAELMAS TERM, 1850.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C. P.* Confesso—*Pi.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*Sh.* Short.

Rolls Court.

JUDGMENTS RESERVED.	Minn v. Stant (Objection for want of parties) <i>S O</i>
Att.-Gen. v. Dalton (Cause)	Brandor v. Hall (Objection for want of parties)
Meddowcroft v. Campbell	Allfrey v. Allfrey
Meddowcroft v. Hughes	Same v. Same (E)
PLEAS AND DEMURRERS.	Same v. Same
Dean and Chapter of Ely v. Gayford <i>S O</i>	Wagner v. Russell
Same v. Waddelow <i>S O</i>	Grundy v. Lancashire and Yorkshire Railway Co. (D)
Same v. Same <i>S O</i>	Grundy v. Lancashire and Yorkshire Railway Co. (D)
Same v. Bliss <i>S O</i>	Grundy v. Howdsworth (D)
Same v. Shillito <i>S O</i>	
Same v. Hensley <i>S O</i>	
Lewis v. Baldwin (Objection for want of parties) <i>S O</i>	

CAUSES.

Stourton v. Jerningham *SO*
to present petition
 Gas Light and Coke } (F D, C)
 Co. v. Symonds }
 Symonds v. Gas Light } *SO*
 and Coke Co. } *till*
 Stillman v. Gas Light } *after*
 and Coke Co. } *re-*
port on Exceptions
 Baynton v. Hooper } *SO* *to*
 Baynton v. Hooper } *amend*
 Johnson v. Thomas } *SO* *to add*
parties
 Hele v. Bexley }
 Hele v. Bexley } (E, F D, C)
 Hele v. Bexley }
 Hele v. Bowyer }
 Hele v. Donovan }
 Hargrave v. Hargrave (F D, C)
 Morgan v. Morgan } (F D, E, Ptn, pt. heard)
 Morgan v. Pulman }
 Lines v. Pulman }
 Byrnes v. Nercott }
 Whicker v. Hume } (E)
 Hume v. Gilchrist }
 Greasley v. Earl of Chesterfield } (F D, C)
 Kewney v. Bradshaw
 Gregory v. Spencer
 Mount v. Mount
 Triston v. Hardy
 Duberly v. Day
 Attorney-Gen. v. Calegrave
 Mules v. Jennings
 Att.-Gen. v. Churchill } (F D, C)
 Att.-Gen. v. Churchill }
 Att.-Gen. v. Baker }
 Att.-Gen. v. Mayor of Gloucester }
 Landen v. Morison
 Fisher v. Hepburn (F D, C)
 Godefroy v. Morison
 Chapman v. Chapman }
 Chapman v. Pennell } (Re-
 Att.-Gen. v. Brook } *hearing*
 Att.-Gen. v. Brook }
 Royds v. Royds (F D, C)
 Edgley v. Lloyd
 Gooch v. Gooch } (F D, C)
 Gooch v. Clarke }
 Matthews v. Bradshaw } (E)
 Matthews v. Leybun }
 Jenner v. Shaw (F D, C)
 Petre v. Petre (F D, C)
 Attorney-Gen. v. Newcomen
 Melson v. Kemp
 Whicker v. Hume
 Newry, Warrenpoint, & Ros-
 trevor Railway Co. v. Moss
 Rice v. Gordon }
 Rice v. Ayres } (F D, C)
 Rice v. Gordon }
 Carter v. Scarnett }
 Carter v. Ayres }
 Littlewood v. Webster
 Mackason v. Pope } (F D, C)
 Mackason v. Woolhouse }
 Mackason v. Stone }
 Woolhouse v. Tothill }
 Woolhouse v. Keats }
 Rose v. Osborne (F D, C)
 Butcher v. Knowles } (F D, C)
 Butcher v. Knowles }
 Butcher v. Knowles }
 Massey v. Carvick }
 Massey v. Carvick }
 Tetts v. Barrow

Bush v. Watkins
 Bell v. Jones
 Bligh v. Great Western Rail-
 way Co.
 Davis v. Sampson
 Ross v. Ross
 Dunn v. Stokes }
 Dunn v. Stokes }
 Dunn v. Harries }
 Trye v. Corporation of Glou-
 cester (F D, C)
 Thorpe v. Duke (F D, C)
 Brown v. Crass
 Laycock v. Smith (F D, C)
 Davall v. Mount (E)
 Heaton v. Dale
 Leer v. Butterfield }
 Leer v. Edwards }
 London Gas-light Co. v. Spot-
 tiswoode
 Bolton v. Powell }
 Howard v. Earle }
 Delmossé v. Crawshaw (13
 causes, F D, C)
 Grundy v. Pinniger
 Reece v. Greene
 Early v. Middleton (Claim by
 order)
 Withers v. Boys
 Jackson v. Jackson }
 Same v. Same }
 Same v. Same }
 Same v. Same }
 Bentley v. Mackay (E, F D, C)
 Morgan v. Morgan } (Re-
 Morgan v. Pulman } *hearing*
 Lines v. Pulman }
 Ellis v. Maxwell } (F D, C)
 Ellis v. Maxwell }
 Ellis v. Lyte }
 Ellis v. Lyte }
 Ellis v. Hogg }

NEW CAUSES.

Grace v. Carden }
 Grace v. Evans }
 Grace v. Hood }
 Lees v. Laforest }
 Lees v. Laforest }
 Liddiard v. Liddiard
 Quennell v. Turner
 Peters v. Beer
 Younge v. Hudson
 M'Donnell v. Hescheloe
 Brown v. Oakshott } *SA*
 Smith v. Oakshott }
 Smith v. Oakshott }
 Fuller v. Green
 Hotchkin v. Humphrey }
 Hotchkin v. David }
 Greaves v. Greaves (F D, C)
 Pickard v. Mitchell } (F D, C)
 Wilcock v. Mitchell }
 Douglas v. Andrews }
 Douglas v. Andrews } (F D, C)
 Douglas v. Andrews }
 Douglas v. Douglas }
 Douglas v. Douglas }

CLAIMS.

Lord James Stuart v. London
 and North-western Railway
 Co.
 Gillett v. Johnson
 Bayley v. Ward
 Perry v. Fothergill
 Jenkins v. Davey.

COMMON-LAW CAUSE LISTS, MICHAELMAS
TERM, 1850.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SIT-
 TINGS AFTER TRINITY TERM, 1850.

FOR JUDGMENT.

Liv'pool—Mallalieu v. Hodg-
 son & an.
 Durham—Humphries v. Brog-
 den

FOR ARGUMENT.

EASTER TERM, 1848.
 Kent—Doe d. Warren & an.
 v. Brydges

HILARY TERM, 1849.
 Midd.—Reg. v. Smith & ors.
 (standing for ar-
 rangement)
 „ Same v. Same

MICH. TERM, 1849.
 York—Doe d. Witty v. Carr

HILARY TERM, 1850.
 Midd.—Trail & an. v. Grey
 „ Blanchard v. Ripley
 „ Lloyd v. Howard
 „ Wolton v. Gavin

Lond.—Galvanised Iron Co.
 v. Ogier
 „ Barker v. Goddard
 „ Campbell v. Hewlett
 „ Miller v. Alexander

Tried during Hilary Term,
 1850.
 Midd.—Hay v. Ayling

EASTER TERM, 1850.
 Midd.—Agriculturist Cattle
 Insurance Co. v.
 Fitzgerald

„ Mullett v. Challis
 „ Taylor v. Hawkins
 Lond.—Governor and Co. of
 Copper Miners of
 England v. Fox

„ Griffiths v. Hicks
 „ Austin v. Manchester,
 Sheffield, and Lin-
 colnshire Railw. Co.
 „ Husband v. Cattlin

SPECIAL CASES AND DEMURRERS

FOR MICHAELMAS TERM, 1850.

Those marked thus * are Special Cases—the rest are Demurrers.

FOR ARGUMENT.

*Daniel v. Morton
 Bambridge v. Wade
 Walker v. Clements
 *Thompson & an. v. Whatley
 *Jackson & ors. v. Charing-
 cross-bridge Co.
 Longbourne v. Chadwick
 Doe d. Evers & Wife & ors. v.
 Challis (Sp. Verd.)
 Rochdale Canal Co. v. Walms-
 ley
 *Walton v. Holt
 Evans v. George
 Trotter v. York, Newcastle,
 and Berwick Railway Co.
 Crow v. General Commission
 Ship Loan and Insurance Co.
 Leeming & an. v. Snaith
 Worsley & an. v. South Devon
 Railway Co.
 West v. Jackson & an.

Waterford, Wexford, Wick-
 low, and Dublin Railway
 Co. v. Logan

West v. Jackson (arrest of
 judgment)

Francis & an. v. Bailey
 Perkins v. Tidd
 Griffiths v. Fenton
 Gallini v. Earl of Courtown &
 ors.

Bank of Australasia v. Nias
 *Tarleton v. Liddell & an.

Bank of Australasia v. Ross
 Cocks & ors. v. Manchester,
 Sheffield, and Lincolnshire
 Railway Co.

Carr v. Scollard
 Howell v. Wilkin & an.

Cole v. Plank
 Marson & an. v. Lund

Berry v. Torr & an.
 Robson v. Singer

*Boothman & an. v. Manchester, Sheffield, and Lincolnshire Railway Co.
 Helps v. Anstruther
 Irish South-eastern Railway Co. v. Clarkson
 Bishop of Durham v. Allnutt
 *Elliott v. Lewis

Keyse v. Powell
 Dew v. Blenkarn
 Sunderland Marine Assurance Co. v. Kearney & an. (E)
 *Gabriel & ors. v. Smith & ors.
 Billing v. Roper
 Sutton & an. v. Eastern Union Railway Co.

ENLARGED RULES FOR MICHAELMAS TERM, 1850.

Those marked thus * are to be heard in the Bail Court.

First Day.
 *Candwell v. Mostyn & ors.
 Clegg & ors. v. Dearden
 In re Sunderland Dock Co.
 De Porquet v. Page
 *Doe d. Hughes v. Davies
 *Bell (a pauper) v. Port of London Assurance Co.
 *Reg. v. Recorder of Liverpool
 Same v. Copper Miners Co.
 *Same v. Recorder of Liverpool
 *Same v. Justices of Romney Marsh

Reg. v. Justices of Yarmouth

Second Day.
 *Same v. Justices of Middlesex
 Same v. Commissioners of Sewers of Hatfield Chase
 Same v. Wodehouse & ors.
 Same v. Jones
 *Same v. Pound & an.

Third Day.
 In re Sargent
 In re Sargent v. Courtney

CROWN PAPER, MICHAELMAS TERM, 1850.

Cumberland .. Reg. v. Caledonian Railway Co.
 Yorkshire .. Clerk of the Peace of the West Riding.
 Same .. Commissioners of Improvement of High and Low Harrogate.
 Staffordshire .. William & an., Churchwds. of Bilston.
 Devonshire .. South Devon Railway Company.
 Kent .. Inhabitants of Carew.
 Lincolnshire .. Great Northern Railway Company.
 Halifax .. Prest.
 Cornwall .. Inhabitants of Minster.
 Yorkshire .. Overseers of Welbeck.
 London .. Guardians of the Durham Union.
 Middlesex .. Richards.
 Hants .. Southern Dock Company.
 Dover .. Town Council and Recorder of Dover.
 Worcestershire .. Lechmere.
 Devonshire .. Churchwardens of Ide.
 Manchester .. Overseers of Manchester.
 Same .. Brandt.
 Same .. Manchester South Junction Railway Company.
 Yorkshire .. Inhabitants of Knaresborough.

Court of Common Pleas. NEW TRIAL.

MICHAELMAS TERM, 1848.
 Surrey—Hamilton v. Cochrane (To stand over, parties in course of arranging).

DEMURRER PAPER.

Thursday, Nov. 7.
 Robinson v. Marquis of Bristol
 Kepp v. Wiggett
 Leigh v. Ashburton
 Rashleigh v. South-Eastern Railway Co.
 Dixon v. Stansfield
 Smith v. Lovell

Monday, Nov. 11.
 Cluff v. Trueman
 Robins v. Becke
 Pretty v. Hammon
 Hooper v. Woolmer
 Abley v. Dale
 Courtenay v. Earle

CUR. ADV. VULT.

Somerville v. Hawkins | Electric Telegraph Co. v. Brett

Court of Exchequer.

SITTINGS—MICHAELMAS TERM, 1850.

Banc. **Nisi Prius.**
 Saturday .. Nov. 2 { Motions and
 Monday .. 4 { Peremptory Paper } Midd. 1st Sitting
 { Peremptory Paper and Motions }

Banco. **Nisi Prius.**
 Tuesday .. 5
 Wednesday .. 6
 Thursday .. 7
 Friday .. 8 Special Cases
 Saturday .. 9 { Lord Mayor sworn }
 Monday .. 11 Demurrers London 1st Sitting
 Tuesday .. 12 { Errors, Nomina- } Midd. 2nd Sitting
 { tion of Sheriffs }
 Wednesday .. 13 Special Cases.
 Thursday .. 14
 Friday .. 15 Demurrers
 Saturday .. 16
 Monday .. 18 Special Cases London 2nd Sitting
 Tuesday .. 19 Midd. 3rd Sitting
 Wednesday .. 20 Demurrers
 Thursday .. 21
 Friday .. 22
 Saturday .. 23
 Monday .. 25

NEW TRIALS.

FOR ARGUMENT.
Moved Easter Term, 1850.
 Midd.—Bull v. Ranken
 Lond.—Tarte v. Barnes
 " Story v. Finnis
 York—Reimer v. Ringrose
 " Hellawell v. Eastwood
 " Same v. Same
 " Faulding v. Walker
 Presteign—Muirhead v. Evans

Swansea—Turner v. Cameron's Colebrook Steam-coal and Swansea Railway Co.
Moved after the 4th Day of Easter Term, 1850.
 Midd.—Glen v. Evans
 " Litchfield v. Ready
Moved Trinity Term, 1850.
 Lond.—Dodd v. Durnford
 " Milns v. Dawson

PEREMPTORY PAPER.

To be called on the first Day of Term after the Motions, and to be proceeded with the next Day, if necessary, before the Motions.

Williams v. Richards | Same v. Same
 Bradley v. North-western Railway Co. | Bonar v. Mitchell
 | Lyons v. Hyman

SPECIAL PAPER.

SPECIAL CASES.

FOR ARGUMENT.
 Doe d. Dean and Chapter of St. Peter, Exeter, v. Phelps
 Doe d. Lowe v. Lowe
 O'Brien v. Kenyon
 Taylor v. Bullon
 Sims v. Brutton

Jones v. Johnson
 Same v. Same
 Ralli v. Domistoun
 Sadd v. Waldon, Witham, and Braintree Co.
 Bainbridge v. Little
 Hutton v. Cooper

DEMURRER.

FOR ARGUMENT.
 Moss v. Houston.

MIDDLE TEMPLE.—Mr. Bowyer, D.C.L., will deliver a complete course of four readings on the Canon Law, in the Middle Temple Hall, on the three Wednesdays and Saturday the 16th in Michaelmas Term, at a quarter after seven o'clock.

GRAY'S INN, Oct. 28.—A Course of Lectures on the branches of Law concerning Property, embraced by the cases and resolutions in Lord Coke's Reports, will be commenced in the Hall on Monday, the 4th November next, at half-past seven o'clock, and continued from that time on every Monday and Thursday in each week, at the same hour, (except as after mentioned). The meetings of the students will take place on every alternate Thursday after the lecture, and on those evenings the lecture will commence at a quarter (instead of half) past seven o'clock. There will be a general Introductory Lecture on Monday, the 4th November. Tickets of admission will be given to any student for the Bar applying for the same at the Steward's office.

London Gazette.

TUESDAY, OCTOBER 29.

BANKRUPTS.

HENRY GEORGE STAHLSCHEIDT, Fenchurch-street, London, merchant, dealer and chapman, Nov. 13 at 12, and Dec. 10 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Sole & Turner, Aldermanbury.—Petition filed Oct. 22.

THOMAS WOODROFFE, Webb's County-terrace, New Kent-road, Surrey, druggist, dealer and chapman, Nov. 7 at half-past 1, and Dec. 5 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Young & Son, Mark-lane, City.—Petition dated Oct. 25.

JAMES PORTER, High-street, Camden-town, Middlesex, upholsterer and cabinet maker, dealer and chapman, Nov. 7 at 2, and Dec. 5 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. J. G. & S. Langham, 10, Bartlett's-buildings, Holborn.—Petition dated Oct. 28.

WILLIAM ALSOP, Plymouth, Devonshire, potter, dealer and chapman, Nov. 7 and Dec. 5 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sol. Marshall, Plymouth.—Petition filed Oct. 17.

ANDREW LITTLE, York, draper, Nov. 18 and Dec. 2 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Thompson, York; Bond & Barwick, Leeds.—Petition dated Oct. 17.

MICHAEL LORD, Lower Bagden, Spotland, Rochdale, Lancashire, sheep salesman and stone dealer, Nov. 8 at 11, and Nov. 29 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Whitehead & Sons, Rochdale.—Petition filed Oct. 26.

MEETINGS.

Charles Johns, Great Queen-street, Lincoln's-inn-fields, and Kirby-street, Hatton-garden, Middlesex, fixture dealer, Nov. 9 at 11, Court of Bankruptcy, London, last ex.—Joseph Donesan, Oxford-street, Middlesex, fishmonger, Nov. 11 at 11, Court of Bankruptcy, London, last ex. and aud. ac.—Charles Maxwell Wilkinson, Ulverston, Lancashire, wine merchant, Nov. 6 at 12, District Court of Bankruptcy, Manchester, last ex.—William Henry de Wolf, Liverpool, merchant, Nov. 18 at 11, District Court of Bankruptcy, Liverpool, last ex.—Claron Scarfe, Hall-street, City-road, Middlesex, timber merchant, Nov. 11 at 12, Court of Bankruptcy, London, aud. ac.—Friend Westover, Lewisham, Kent, cheesemonger, Nov. 11 at half-past 12, Court of Bankruptcy, London, aud. ac.—Richard Dart and Joseph Brown, Bedford-street, Covent-garden, Middlesex, coach-lace manufacturers, Nov. 11 at half-past 11, Court of Bankruptcy, London, aud. ac.—William Breed, Amersham-common, near Amersham, Buckinghamshire, dealer in sheep, Nov. 11 at 11, Court of Bankruptcy, London, aud. ac.—William Rawson, Market Rasen, arts of Lindsey, Lincolnshire, cake and seed merchant, Nov. 3 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Nov. 20 at half-past 12, div.—John Gibbon and Archibald Galbreath, Kingston-upon-Hull, merchants, Nov. 13 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Nov. 20 at half-past 2, div.—George Geary Mason, Cinderhill, Ringley, Lancashire, cotton spinner, Nov. 5 at 12, District Court of Bankruptcy, Manchester, aud. ac.—Robert William Samson, Essex-wharf, Strand, Middlesex, coal merchant, Nov. 20 at 12, Court of Bankruptcy, London, div.—Stephen Keen and William Langford, John-street, Pentonville, Middlesex, brewers, Nov. 20 at 12, Court of Bankruptcy, London, div.—Edward Keeler, Canterbury, dealer in glass, Nov. 20 at 2, Court of Bankruptcy, London, div.—William Cooper, Reading, Berkshire, tobacco manufacturer, Nov. 19 at 1, Court of Bankruptcy, London, div.—George Rougemont, Tad-street-buildings, London, merchant, Nov. 21 at 1, Court of Bankruptcy, London, div.—W. Jones, Manchester-st., St. Marylebone, and North Audley-street, St. George's, mover-square, Middlesex, chemist, Nov. 19 at 2, Court of Bankruptcy, London, div.—Edward Ferrar, Guildford-st., Pancras, Middlesex, apothecary, Nov. 20 at 11, Court of Bankruptcy, London, div.—Chas. Penfold, Arundel, Sussex, ironmonger, Nov. 21 at 11, Court of Bankruptcy, London, div.—John Bennett, Hart-street, Bloomsbury, and High-st., Camden-town, Middlesex, artists' brush manufacturer, Nov. 11 at 11, Court of Bankruptcy, London, div.—G. Rackham,

Southtown, Suffolk, wine merchant, Nov. 20 at 11, Court of Bankruptcy, London, div.—Alex. Russell, Ashford, Kent, saddler, Nov. 19 at half-past 12, Court of Bankruptcy, London, div.—Joseph Miller, Bristol, cabinet maker, Nov. 19 at 1, Court of Bankruptcy, London, div.—Henry Holt, High-street, Peckham, Surrey, bookseller, Nov. 19 at half-past 1, Court of Bankruptcy, London, div.—George Burdiss, Newcastle-upon-Tyne, banker, Nov. 22 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—Geo. Thorpe, Kirtton in Lindsey, Lincolnshire, scrivener, Nov. 20 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, first and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry A. Hope, Trinity-square, Surrey, carrier, Nov. 20 at half-past 1, Court of Bankruptcy, London.—E. Parrott, Park-village West, Regent's-park, Middlesex, advertising agent, Nov. 20 at 12, Court of Bankruptcy, London.—Thos. Wood, Bardon-mill, Tunbridge, Kent, miller, Nov. 19 at 11, Court of Bankruptcy, London.—George Wm. Law, Landport, Portsea, Hampshire, auctioneer, Nov. 16 at 11, Court of Bankruptcy, London.—Thomas Basendale, Bolton-le-Moors, Lancashire, grocer, Nov. 21 at 12, District Court of Bankruptcy, Manchester.—Wm. Smith, Idle, near Bradford, Yorkshire, cloth manufacturer, Nov. 21 at 11, District Court of Bankruptcy, Leeds.—William Passmore, Leeds, Yorkshire, tailor, Nov. 21 at 11, District Court of Bankruptcy, Leeds.

The Gazette of this day contains the following erratum:—For granting a certificate to James Esley, Boothroyd, Yorkshire, blanket manufacturer, (ante, p. 416), for "Oct. 12," read "Nov. 12," as the day of meeting.

To be granted, unless an Appeal be duly entered.

George H. Ward and Bailey Griffith, Bear-alley, Farringdon-street, London, printers.—Jacob Levy Bensussan, Magdalen-row, Great Prescott-street, Goodman's-fields, Middlesex, merchant.—John Worseldine, Cambridge, upholsterer.—B. B. Blackwell, Verulam-buildings, Gray's-inn, Middlesex, coffee-house keeper.—Francis Paynter, Pensance, Cornwall, attorney.—Chas. Gough, Altrincham, Cheshire, ironmonger.

PARTNERSHIP DISSOLVED.

John Pearce and Charles S. Benning, Dunstable, Bedfordshire, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

John Douglas, Kirkaldy, engineer.—M. W. Ivison, Edinburgh, silk spinner.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John R. Cook, Eaton, Buckinghamshire, hairdresser, Nov. 4 at 11, County Court of Berkshire, at Windsor.—Wm. Pople, Cocklake, Wedmore, Somersetshire, farmer, Nov. 18 at 10, County Court of Somersetshire, at Axbridge.—John Harvey, Weston-super-Mare, Somersetshire, farmer, Nov. 18 at 2, County Court of Somersetshire, at Weston-super-Mare.—Jas. Clarke, St. Fagan's, near Cardiff, Glamorganshire, baker, Nov. 13 at 10, County Court of Glamorganshire, at Cardiff.—George Bailey, Southsea, Hampshire, baker, Nov. 18 at 10, County Court of Hampshire, at Portsmouth.—Charles John Farlow, Southsea, Hampshire, writing clerk, Nov. 18 at 10, County Court of Hampshire, at Portsmouth.—Henry Jordan, Wantage, Berkshire, tailor, Nov. 6 at half-past 10, County Court of Berkshire, at Wantage.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 12 at 11, before Mr. Commissioner HARRIS.

Edward Halliday, Queen-street, Lee-st., Kingland-road, Middlesex, assistant to a music seller.—George Onslow, Cannon-st., St. George's-in-the-East, Middlesex, hairdresser.—Sarah Bond, widow, Church-lane, Limehouse, Middlesex, assistant to a schoolmistress.—Samuel R. Lloyd, Seymour-st., Euston-square, Middlesex, chop-house keeper.—John Henry Goodyer, St. Mary-sq., Lambeth, Surrey, out of business.—Daniel Perry, York-cottages, Battersea, Surrey, laundryman.—George King, Norfolk-st., Lower-road, Islington, Middle-

sex, bricklayer.—*John Soper*, William-st., Meadow-row, New Kent-road, Surrey, licensed retailer of beer.—*Wm. Beysman*, Warley-common, Brentwood, Essex, beer-shop keeper.—*C. John Beasmont*, Greenwich-rd., Greenwich, Kent, watchmaker.

Nov. 13 at 10, before Mr. Commissioner LAW.

Christopher Harding, King-st., Camden-town, Middlesex, chandler-shop keeper.—*Edward Robinson*, Gloucester-street, Oakley-st., Lambeth, Surrey, milkman.—*George Tyler*, St. Michael's-alley, Cornhill, London, butcher.—*Edward Henry King*, Grosvenor-cottages, Eaton-sq., Middlesex, cab driver.—*Major Tuck*, York-st., Kingsland-road, Middlesex, butcher.—*John H. Parsons*, Rosamou-st., Clerkenwell, Middlesex, out of business.

Nov. 14 at 11, before the CHIEF COMMISSIONER.

John Woodman, Union-st., Somers-town, Middlesex, out of business.—*Jesse Ing*, Martha-st., Cambridge-heath, Hackney, Middlesex, servant to a corn chandler.—*Thomas Slade*, Porteus-road, Paddington, Middlesex.—*John Lockington*, Weymouth-st., Walworth, Surrey, out of business.—*Robert Gordon*, Albion-road West, Middlesex, out of employ.—*Rich. H. Smith*, Hill-st., Friar-st., Blackfriars-rd., Surrey milkman.

Nov. 13 at 11, before the CHIEF COMMISSIONER.

J. Alderman, High-st., Woolwich, Kent, shoemaker.—*J. Pentin*, North-row, George-st., Oxford-st., Middlesex, brazier.—*J. Carr*, Stepney-rents, Hackney-road, Middlesex, grocer.—*John Crocker*, Warren-st., Pentonville, Middlesex, printer.—*Thomas Stone*, London-st., Paddington, Middlesex, tailor.—*William G. Reekie*, Narrow-street, Limehouse, Middlesex, lighterman.—*Marlton Turner*, Gray-st., Bedford-sq., Commercial-road East, Middlesex, mason.—*William A. Freeman*, Bird's-cottages, Old Ford-road, Middlesex, out of business.—*John M. Connorton*, Jamaica-row, Bermondsey, and Rotherhithe-wall, Rotherhithe, Surrey, mast maker.

Saturday, Oct. 26.

The following Assignees has been appointed. Further particulars may be learned at the Office, in Portugal-st. Lincoln's-inn-fields, on giving the Number of the Case.

Jos. Hayelden, Brighton, Sussex, builder, No. 72, 907 C.; *George W. Sawyer*, assignee.

Saturday, Oct. 26.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

G. B. Wingrave, North Audley-street, Grosvenor-square, Middlesex, upholsterer: in the Queen's Prison.—*Wm. Peter Le Keux*, Eltham, Kent, smith: in the Queen's Prison.—*Clement Tudway*, Upper George-st., Portman-sq., Middlesex, gentleman: in the Queen's Prison.—*Joseph Trigwell*, King Edward-st., Westminster-road, Surrey, builder: in the Gaol of Heremonger-lane.—*Eleanor Fowster*, widow, Newport, Monmouthshire, out of business: in the Debtors Prison for London and Middlesex.—*George Tatham*, Little Pulteney-st., Westminster, Middlesex, linendraper: in the Queen's Prison.—*James Maylard*, Oakley-crescent, City-road, Middlesex, auctioneer: in the Debtors Prison for London and Middlesex.—*John McCanie Campbell*, Barracks, Woolwich, Kent, lieutenant in the Royal Artillery: in the Queen's Prison.—*John Crickshank*, Crescent-place, Barton-crescent, Middlesex, artist in paintings: in the Debtors Prison for London and Middlesex.—*Marcus Lowther Crofton*, Clarence-road, Kentish-town, Middlesex, clerk in the Coast Guard-office, Custom House: in the Debtors Prison for London and Middlesex.—*George Joseph Ford*, Blackfriars-road, Surrey, licensed victualler: in the Debtors Prison for London and Middlesex.—*John O'Brien*, Gerrard-st., Soho, Middlesex, not in any trade: in the Queen's Prison.—*Joseph King*, Stoney-street, Borough-market, Surrey, waiter: in the Debtors Prison for London and Middlesex.—*John Lambale*, Harford-st., Fitzroy-square, Middlesex, ivory cutter: in the Debtors Prison for London and Middlesex.—*Thos. Colin Robert Campbell*, Victoria-grove West, Stoke Newington, Middlesex, clerk in the General Register and Record Office of Seamen: in the Debtors Prison for London and Middlesex.—*Joel Aley*, Prospect-place, Old Brompton, Middlesex, greengrocer: in the Debtors Prison for London and Middlesex.—*John Tiley*, New-st., Fieldgate-st., Whitechapel-road, Middlesex, sawyer: in the Debtors Prison for London and Middlesex.—*Henry George Summers*, Great Chapel-st., Westminster, Middlesex, dairyman: in the Debtors Prison for London and Middlesex.—*Wm. Hen. Longman*, Great Andrew-street, St. Giles's,

Middlesex, gasfitter: in the Debtors Prison for London and Middlesex.—*Wm. Baker*, Manchester, fishmonger: in the Gaol of Lancaster.—*John Faulkner*, Ashton-under-Lyne, Lancashire, schoolmaster: in the Gaol of Lancaster.—*Rich. Hargreaves*, Liverpool, bookkeeper: in the Gaol of Lancaster.—*Archibald McLaughlan*, Wigan, Lancashire, licensed victualler: in the Gaol of Lancaster.—*James McLaughlan*, Millgate, Wigan, Lancashire, commercial traveller: in the Gaol of Lancaster.—*John Wharton*, Salford, Lancashire, joiner: in the Gaol of Lancaster.—*Samuel Penn* the elder, Aston, Birmingham, steam-engine boiler manufacturer: in the Gaol of Coventry.—*James Hopwood*, Blackburn, Lancashire, labourer: in the Gaol of Lancaster.—*Joseph Atkins*, Swansea, Glamorgan-shire, painter: in the Gaol of Cardiff.—*Chas. Dobell*, Assembly-row, Mile-end-road, Middlesex, builder: in the Gaol of Reading.—*Martin Walsh*, Bellamy's-square, Garden-place, Yorkshire, out of business: in the Gaol of York.—*Samuel Baker Norris*, Romsey, Hampshire, grocer: in the Gaol of Winchester.—*Matthew Mitchell*, Landport, Portsea, Hampshire, retailer of beer: in the Gaol of Winchester.—*Thos. Devdney*, Plymouth, Devonshire, seedsman: in the Gaol of St. Thomas the Apostle.—*Edward Lewis Cory*, Quadring, Lincolnshire, licensed victualler: in the Gaol of Lincoln.—*Wm. Johnson*, Paddock, near Huddersfield, Yorkshire, stonemason: in the Gaol of York.—*John Wells Law*, Emscote, Warwickshire, in no business: in the Gaol of Warwick.—*Richard Smith*, Bristol, Somersetshire, farmer: in the Gaol of Bristol.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 13 at 10, before Mr. Commissioner LAW.

Jos. Dickson, Lower Sussex-place, Old Kent-road; Clapham-common South, Surrey; and Bartlett's-buildings, Highborn, London, auctioneer.

Nov. 14 at 11, before Mr. Commissioner HARRIS.

Charles Shaw, South-street, Greenwich, Kent, attorney-at-law.—*Philip Delfosse*, Cranmer-place, Waterloo-bridge-road, Surrey, lodging-house keeper.

Nov. 12 at 11, before Mr. Commissioner HARRIS.

Adjourned Case.

James Thos. Jackson, Piccadilly, Middlesex, tavern keeper. The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, Nov. 11 at 10.

William Weaver, Cheltenham, greengrocer.

At the County Court of Worcestershire, at WORCESTER, Nov. 13 at 10.

William Henry Jones, Kidderminster, carpet manufacturer.—*Charles Smith*, Worcester, hallier.

At the County Court of Berkshire, at READING, Nov. 11 at half-past 11.

C. Dobell, Assembly-row, Mile-end-rd., Middlesex, builder.

At the County Court of Staffordshire, at STAFFORD, Nov. 11 at 12.

Henry Timmis, Newcastle-under-Lyme, in no business.

At the County Court of Hampshire, at the CASTLE of WINCHESTER, Nov. 13.

Matthew Mitchell, Landport, Portsea, retailer of beer.—*Samuel Baker Norris*, Romsey, grocer.—*George Edm. Self*, Millbrook, butcher.

At the County Court of Glamorganshire, at CARDIFF, Nov. 13.

James Roger Havard, Dowlais Ironworks, licensed victualler.—*Sylvester Harrington*, Merthyr Tydfil, railway and sub-contractor.—*Edmund Thomas Hale*, Tydfil-well, Merthyr Tydfil, chemist.

At the County Court of Leicestershire, at LEICESTER, Nov. 14.

Charles Mercer, Chesterfield, Derbyshire, gentleman.

FRIDAY, NOVEMBER 1.

BANKRUPTS.

HENRY BROOKE MURIEL, Brighton, Sussex, chemist. Nov. 12 at half-past 11, and Dec. 20 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Bennett & Housman, Brighton; Richards & Walker, 29, Lincoln's-inn-fields.—Petition dated Nov. 1.

WILLIAM GIBBS, Throgmorton-st., London, stockbroker, Nov. 13 at 12, and Dec. 13 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Marten & Co., Commercial Sale-rooms, Mincing-lane, London.—Petition filed Oct. 30.

THOMAS SKAM, Claremont-terrace and Pensbury-place, Wandsworth-road, and York-cottage, York-road, Battersea, Surrey, builder, dealer and chapman, Nov. 8 at 11, and Dec. 13 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Mardon & Pritchard, Christchurch-chambers, Newgate-st., London.—Petition filed Oct. 29.

HUGH SNELLING, Brighton, Sussex, grocer, Nov. 12 at 1, and Dec. 10 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Bennett & Housman, Brighton; Rickards & Walker, Lincoln's-inn-fields.—Petition dated Oct. 30.

SAMUEL ALFRED WARNER, Southampton-st., Strand, Middlesex, projectile manufacturer, dealer and chapman, Nov. 15 at 12, and Dec. 12 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Lawrence & Plevins, 14, Old Jewry-chambers.—Petition dated Oct. 29.

ADOLPHUS MILLER, Emaworth, Southampton, ropemaker, Nov. 14 and Dec. 12 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Cole, Ryde, Isle of Wight; Rickards & Walker, Lincoln's-inn-fields.—Petition dated Oct. 24.

EPHRAIM GWALTER, Plaistow, West Ham, Essex, baker, horse dealer, dealer and chapman, Nov. 15 at half-past 11, and Dec. 12 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Hilleary, 63, Fenchurch-st., London.—Petition dated Oct. 25.

MISCELLANEOUS.

Edward M'Leod, Haberdasher-street, Hoxton, Middlesex, common brewer, Nov. 12 at 11, Court of Bankruptcy, London, pr. d.—**M. Hatten**, Kingsbury, Berkshire, sheep dealer, Nov. 19 at 11, Court of Bankruptcy, London, last ex.—**Robt. May**, Oxford, coal merchant, Nov. 21 at half-past 1, Court of Bankruptcy, London, last ex.—**W. Beley**, Horsepath, Oxfordshire, butcher, Nov. 21 at 11, Court of Bankruptcy, London, last ex.—**S. Lock**, Stoke D'Auberton, Surrey, confectioner, Nov. 19 at 12, Court of Bankruptcy, London, last ex.—**Charles O'Neil**, Golden-sq., Middlesex, picture dealer, Nov. 22 at half-past 12, Court of Bankruptcy, London, last ex.—**Charles Porter**, Becking, Essex, out of business, Nov. 12 at 12, Court of Bankruptcy, London, last ex.—**J. Dawson**, Northfleet, Kent, and Mitre-court-chambers, Temple, and Clement's-lane, Lombard-st., London, shipowner, Nov. 19 at 11, Court of Bankruptcy, London, last ex.—**William Meadowcroft**, Rochdale, Lancashire, cotton spinner, Nov. 14 at 11, District Court of Bankruptcy, Manchester, last ex.—**G. Rougemont**, Broad-street-buildings, London, merchant, Nov. 13 at 11, Court of Bankruptcy, London, and. ac.—**Elizabeth Rust**, Fouchers, Good Easter, Essex, brickmaker, Nov. 21 at 2, Court of Bankruptcy, London, and. ac.; Nov. 27 at 12, div.—**George Garrard**, Saxmundham, Suffolk, ironmonger, Nov. 14 at 12, Court of Bankruptcy, London, and. ac.—**William Raynham**, Ladbroke-road, Notting-hill, Middlesex, builder, Nov. 14 at 12, Court of Bankruptcy, London, and. ac.—**William Haslam**, Hertford, chemist and druggist, Nov. 14 at 12, Court of Bankruptcy, London, and. ac.—**George Knight**, Worthing, Sussex, Nov. 14 at half-past 11, Court of Bankruptcy, London, and. ac.—**George William Law**, Landport, Portsea, Hampshire, auctioneer, Nov. 14 at 12, Court of Bankruptcy, London, and. ac.—**John Vandersluyse**, Scattlebury, Conduit-street East, Paddington, Middlesex, carpenter, Nov. 14 at 12, Court of Bankruptcy, London, and. ac.—**William James Buck**, Shrubland-cottages, Queen's-road, Dalston, Middlesex, dealer and chapman, Nov. 14 at half-past 11, Court of Bankruptcy, London, and. ac.—**Samuel Hogg** and **Henry James Hogg**, Landport, Portsea, Hampshire, auctioneers, Nov. 14 at 11, Court of Bankruptcy, London, and. ac.—**Henry Woolley**, West-terrace, Upper Grange-road, Bermondsey, Surrey, grease manufacturer, Nov. 14 at half-past 11, Court of Bankruptcy, London, and. ac.—**Thomas King Pyke**, High-street, Notting-hill, Middlesex, bookseller, Nov. 14 at 11, Court of Bankruptcy, London, and. ac.—**George Thorpe**, Kirtou in Lindsey, Lincolnshire, scrivener, Nov. 13 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hall, and. ac.—**William Walford**, Wolverhampton, Staffordshire, common brewer, Nov. 13 at 12, District Court of Bankruptcy, Birmingham, and. ac.—**William Jones**, Bristol,

stationer, Nov. 29 at 11, District Court of Bankruptcy, Bristol, and. ac.—**Geo. Burdis**, Newcastle-upon-Tyne, banker, Nov. 21 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—**Ralph Dickenson**, Crook, Durham, grocer, Nov. 14 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—**Richard John Goss**, Sidney-street, Stepney, Middlesex, victualler, Nov. 22 at 11, Court of Bankruptcy, London, div.—**Alexander Charles Handley**, Maldon, Essex, draper, Nov. 22 at half-past 11, Court of Bankruptcy, London, div.—**Thomas Sneezum**, Rupert-street, Coventry-street, Middlesex, builder, Nov. 23 at 1, Court of Bankruptcy, London, div.—**William Tynner** and **John Ward**, Leadenhall-place and Leadenhall-market, London, leather factors, Nov. 23 at 1, Court of Bankruptcy, London, div.—**Robert Wright** the younger and **Joseph Clarke**, Liquepond-street, Middlesex, builders, Nov. 23 at 12, Court of Bankruptcy, London, div.—**John Spicer**, Barking, Essex, blacksmith, Nov. 23 at 1, Court of Bankruptcy, London, div.—**Henry Spiller**, St. John's-wood-terrace, St. John's-wood, St. Marylebone, Middlesex, slater, Nov. 23 at half-past 12, Court of Bankruptcy, London, div.—**John Pace** and **Henry Pace**, St. Michael's-alley, Cornhill, London, general merchants, Nov. 26 at 11, Court of Bankruptcy, London, div. sep. est. of **John Pace**.—**James Robson**, Bear-street, Leicester-square, Middlesex, coach currier, Nov. 26 at 12, Court of Bankruptcy, London, div.—**John Saunders**, **James Panmer**, and **Thomas Hosier Saunders**, Basinghall-street, London, and Bradford, Wiltshire, woollen manufacturers, Nov. 26 at 12, Court of Bankruptcy, London, div. sep. est. of **John Saunders**.—**Simon Southey**, South-street, Finsbury-market, and Kingsland-road, Middlesex, cabinet manufacturer, Nov. 26 at 1, Court of Bankruptcy, London, div.—**James Hunter**, King William-street, London, and Buckingham-street, Strand, Middlesex, merchant, Nov. 22 at 12, Court of Bankruptcy, London, div.—**Thos. Henry Wyatt**, Banbury, Oxfordshire, common brewer, Nov. 26 at 1, Court of Bankruptcy, London, div.—**Edwin Litchfield**, Ipswich, Suffolk, upholsterer, Nov. 27 at 11, Court of Bankruptcy, London, div.—**George Stevenson**, John-street, Tottenham-court-road, Middlesex, coachmaker, Nov. 26 at 2, Court of Bankruptcy, London, div.—**Manuel Jose Ferreira Camelo**, Devonshire-street, Queen-square, Middlesex, merchant, Nov. 29 at 11, Court of Bankruptcy, London, div.—**Thomas Bacon**, Buckingham, shoemaker, Nov. 23 at 2, Court of Bankruptcy, London, div.—**Thomas Broadbent**, Halifax, Yorkshire, draper, Nov. 22 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

George Williams, Woolwich-common, Woolwich, Kent, builder, Nov. 27 at 11, Court of Bankruptcy, London.—**Joshua Woodward**, Loxley, Bradfield, Ecclesfield, Yorkshire, paper manufacturer, Nov. 23 at 10, District Court of Bankruptcy, Sheffield.—**Edward Milnes**, Bradford, Yorkshire, innkeeper, Nov. 22 at 11, District Court of Bankruptcy, Leeds.—**Thomas Broadbent**, Halifax, Yorkshire, draper, Nov. 22 at 11, District Court of Bankruptcy, Leeds.—**George Kilner**, Dalton, Kirkheaton, Yorkshire, coal merchant, Nov. 22 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Wm. Wylam and **Joshua Greene** the younger, Newcastle-upon-Tyne, merchants.—**Samuel Wilson**, Wolverhampton, Staffordshire, grocer.—**Cuthbert Rippen**, Rogerly-hall, Stanhope, Durham, limeburner.—**Thomas Williams**, Trowbridge, Wiltshire, auctioneer.—**George Colston Baylis**, Cardiff, Glamorganshire, dealer in flour.—**James Corbett**, New Mills, Llantillo Pertholey, Monmouthshire, miller.—**Nath. Hedge**, Bath, silversmith.—**James Welch**, Great Distaff-lane, London, and Mile-end, Middlesex, builder.—**John Matthews** and **John Martin**, Chichester-place, King's-cross, Middlesex, drapers.—**Richard Knight**, Albert-place, Mitcham-road, Croydon, Surrey, licensed victualler.

PARTNERSHIP DISSOLVED.

John Prest and **Robert Duffin Grewer**, Leeds, Yorkshire, attorneys and solicitors.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Marshall, Devonport, Devonshire, stationer, Nov.

21 at 11, County Court of Devonshire, at East Stonehouse.—*Edmund Bull*, Bembridge, Isle of Wight, Southampton, butcher, Nov. 19 at 10, County Court of Hampshire, at Newport.—*Joshua Shaw*, Huddersfield, Yorkshire, green-grocer, Nov. 22 at 10, County Court of Yorkshire, at Huddersfield.—*James Ashworth*, Rochdale, Lancashire, butcher, Nov. 21 at 12, County Court of Lancashire, at Rochdale.—*Sarah Hooper*, spinster, Eardiston, Lindridge, Worcestershire, grocer, Nov. 21 at 2, County Court of Worcestershire, at Tenbury.—*John Seddon*, Bury, Lancashire, operative block printer, Nov. 20 at 11, County Court of Lancashire, at Bury.—*Thomas Brooke*, Malmesbury, Wiltshire, baker, Nov. 22 at 11, County Court of Wiltshire, at Malmesbury.—*Jas. Newton*, Ipswich, Suffolk, pilot, Nov. 14 at 10, County Court of Suffolk, at Ipswich.—*Carter Moore*, Needham-market, Suffolk, attorney's clerk, Nov. 14 at 10, County Court of Suffolk, at Ipswich.—*John Marrable*, Rochester, Kent, carver, Nov. 7 at 10, County Court of Kent, at Rochester.—*Thomas Ayres Phillips*, Birkenhead, Cheshire, short-hand writer, Nov. 5 at 10, County Court of Cheshire, at Birkenhead.—*Anderton Ashworth*, Bury, Lancashire, joiner, Nov. 20 at 11, County Court of Lancashire, at Bury.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 15 at 11, before Mr. Commissioner HARRIS.
James Richard Waterhouse, Carey-street, Lincoln's-inn, Middlesex, law stationer.—*Charles Edward Bunn*, Elizabeth-cottages, St. James's-road, Old Kent-road, Surrey, clerk to a varnish maker.—*George Fysons Roper*, Rathbone-street, Oxford-st., Middlesex, designer of fashions.—*George Henry Galloway*, Belvedere-road, Lambeth, Surrey, out of business.—*John Cullam*, Crown-lane, Norwood, Surrey, carpenter.

Nov. 15 at 10, before Mr. Commissioner LAW.
Thomas Cooper, Askew-place, Shepherd's-bush, Middlesex, clerk in the General Register-office, Somerset-house.—*John Roberts*, Cannon-street-road, St. George's East, Middlesex, butcher.—*Alexander Philippe Bellet*, Thayer-st., Manchester-square, Middlesex, professor of music.—*Josiah Giddings Mitchell*, East-st., Lamb's Conduit-street, Red Lion-square, Holborn, Middlesex, tailor.—*Sarah Lacy*, Nelson-street, Greenwich, Kent, tobacconist.—*John Woodward*, North-st., Edgware-road, Middlesex, flyman.

Nov. 16 at 11, before Mr. Commissioner PHILLIPS.
Thomas Forshall, Providence-place, Upper Kennington, Lambeth, Surrey, consulting surgeon.—*James Townsend*, High-st., Wandsworth, Surrey, shoemaker.—*Edw. Ashdown* the younger, Covent-garden-market, and Martlett's-court, Bow-st., Middlesex, fruit dealer.—*Benj. Fawcett*, Queen's-row, Queen's-road, Dalston, Middlesex, painter.—*Ernesto Diano Dominico Spagnoletti*, Brompton-grove, Brompton, Middlesex, professor of surgery.

Nov. 18 at 10, before Mr. Commissioner LAW.
Sampson Hales, Dock-street, London-docks, Middlesex, clerk to the London Dock Company.—*A. C. Buckland*, Coronation-place, Stoke Newington, Middlesex, pensioner in the East India Company's service.—*Richard Stevens*, Barnet, Hertfordshire, dealer in corn.—*John Edwards*, Henrietta-terrace, Creek-road, Deptford, Kent, commission agent.—*Frederick Russell*, Omaburgh-place, New-road, Middlesex, zinc worker.—*Thomas Fitzgibbon*, St. George's-street, Middlesex, general-shop keeper.

Nov. 18 at 11, before Mr. Commissioner PHILLIPS.
Robert Newman, St. Petersburg-place, Bayswater, Middlesex, cowkeeper.—*James A. Day*, Aldersgate-st., London, lieutenant in the 37th Madras Grenadiers in the East India Company.—*George Chandler*, Francis-street, Chelsea, Middlesex, bricklayer.—*J. Hudgell*, Georgiana-terrace, Kender-street, New Cross, Kent, porter.—*Wm. Edgar*, Great Pulteney-st., St. James's, Middlesex, out of business.—*Edu. P. Hardcastle*, John-street, Minories, London, commercial traveller.—*Lawrence Spyer*, Park-place West, Islington, Middlesex, clerk in the St. Katherine's Dock Company.—*Benj. Isaacs*, Borer's-passage, Cutler-street, Houndsditch, London, assistant to a beer-shop keeper.—*Wm. Gilkes*, Diapason-row, Stoke Newington, Middlesex, painter.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 15 at 11, before Mr. Commissioner HARRIS.
T. Milstead, Swan-place, Old Kent-rd., Surrey, bricklayer.

Nov. 16 at 11, before Mr. Commissioner PHILLIPS.
Thos. Potter, Park-st., Camberwell, Surrey, in no business.

Nov. 18 at 11, before the CHIEF COMMISSIONER.
Geo. Wm. Ellis, Hackney-road, Middlesex, cheesemonger.

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MEETING.

Thos. Tranter, Caerwendy, St. Weonard's, Herefordshire, farmer, Nov. 19 at 12, White Hart Inn, Aston Ingham, sp. sf.

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The Jurist

No. 722—VOL. XIV. NOVEMBER 9, 1850.

PRICE 1s.

* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

House of Lords	{ TENISON EDWARDS, Esq. of the Inner Temple, Barrister at Law.	Court of Queen's Bench	{ G. J. P. SMITH, Esq. of the Inner Temple; and W. B. BRETT, Esq. of Lincoln's Inn, Barristers at Law.
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Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Crown Cases Reserved..	{ ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, NOVEMBER 9, 1850.

WITH the political or religious propriety of the attempts lately made by the Pontiff of Rome to assert spiritual authority within the dominions of the Queen of England, we do not concern ourselves in this journal; but to inquire into the legality of the acts of those who have thought fit, not merely to accept and to publish the Papal manifesto, purporting to divide this country into Roman Catholic diocesan districts, to be under the spiritual authority of the Pope, but in the pulpit to assert episcopal authority over counties in this realm, as derived from the authority of his Holiness, is within our province; and, finding that it has been boldly asserted that such acts are legal, we will proceed to shew reasons for a contrary opinion.

There can, we conceive, be no question that the acts of those Roman Catholic ecclesiastics who have recently declared from their places in the pulpit, their episcopal authority as derived from the Roman Pontiff, could be within the act of the 1 Eliz. c. 1, if that act remained in full force. The words of the 16th section of the act are, "And to the intent that all usurped power and authority, spiritual and temporal, may for ever be early extinguished, and never to be used or obeyed within this realm, or any other your Majesty's dominions or countries, may it please your Highness that it may be further enacted, by the authority aforesaid, that any foreign prince, person, prelate, state, or potentate, spiritual or temporal, shall, at any time after the last day of this session of Parliament, use, enjoy, or exercise in any manner of power, jurisdiction, superiority, authority, pre-eminence, or privilege, spiritual or ecclesiastical, within this realm, or within any other your Majesty's dominions or countries that now be or here-

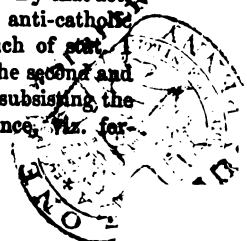
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after shall be, but from thenceforth the same shall be clearly abolished out of this realm, and all other your Highness's dominions, for ever; any statute, ordinance, custom, constitutions, or any other matter or cause whatsoever to the contrary in anywise notwithstanding."

The 27th, 28th, 29th, and 30th sections describe and provide for the punishment of those who shall offend under the statute; and offenders under the statute are. "any person or persons dwelling or inhabiting within this your realm, or in any other your Highness's realms or dominions, of what estate, dignity, or degree soever he or they be, who, after the end of thirty days next after the determination of this session of this present Parliament, shall, by writing, printing, teaching, preaching, express words, deed, or act, advisedly, maliciously, and directly affirm, hold, stand with, set forth, maintain, or defend the authority, pre-eminence, power, or jurisdiction, spiritual or ecclesiastical, of any foreign prince, prelate, person, state, or potentate whatsoever, heretofore claimed, used, or usurped, within this realm, or any dominion or country being within or under the power, dominion, or obedience of your Highness, or shall advisedly, maliciously, and directly put in ure or execute anything for the extolling, advancement, setting forth, maintenance, or defence of any such pretended or usurped jurisdiction, power, pre-eminence, and authority, or any part thereof."

This act was, as to so much of it at least as we have quoted, in force till the 7 & 8 Vict. c. 102. By that act, which repealed a considerable number of anti-catholic statutes, was repealed, inter alia, so much of the 1 Eliz. as provided for the punishment of the second and third offences under the statute, but left subsisting the punishments provided for the first offence, viz. for



feiture of goods and chattels. The 9 & 10 Vict. c. 58, went further, and repealed so much of the 1 Eliz. c. 1, "as makes it punishable to affirm, hold, stand with, set forth, maintain, or defend, as therein is mentioned, the authority, pre-eminence, power, or jurisdiction, spiritual or ecclesiastical, of any foreign prince, prelate, person, state, or potentate, theretofore claimed, used, or usurped, within this realm, or any dominion or country being within or under the power, dominion, or obedience of her Highness, or to put in ure or execute anything for the extolling, advancement, setting forth, maintenance, or defence of any such pretended or usurped jurisdiction, power, pre-eminence, and authority, or any part thereof, or to abet, aid, procure, or counsel any person so offending: provided always, and be it declared, that nothing in this enactment contained shall authorise or render it lawful for any person or persons to affirm, hold, stand with, set forth, maintain, or defend any such foreign power, pre-eminence, jurisdiction, or authority; nor shall the same extend further than to the repeal of the particular penalties and punishments therein referred to, but in all other respects the law shall continue the same as if this enactment had not been made."

Now, beyond doubt, although the statute of Elizabeth does not, in terms, say, that to maintain, &c. the spiritual authority of a foreign potentate or prelate is unlawful, yet it is perfectly clear that to do so was under that statute unlawful, because it would be absurd to say, that a statute, which visited a particular act with penal consequences, did not make that act unlawful. All that the 9 & 10 Vict. does is to take away the particular penalties and punishments directed by the 1 Eliz.; it expressly leaves the law, as to the lawfulness or unlawfulness of the acts defined in the 1 Eliz., as it was before the act of Victoria; and consequently, as the acts were by the 1 Eliz. made unlawful they are still unlawful.

In a case of this kind it is more material to ascertain whether an act is unlawful, than what is the remedy. The remedy in this case might be trifling, almost ridiculous; for as a breach of an act of Parliament, not prescribing a special punishment, is merely a misdemeanour, we suppose, that if his Eminence Cardinal Wiseman should think fit to assert publicly in this country his authority, as derived from the Pope, of Archbishop of Westminster, he would not be liable to any very severe measure of actual punishment. But if it be clear, that to carry into effect the recent mandate of the Pontiff of Rome is unlawful, the knowledge that that is so, will have great influence over the minds of good and wise and prudent men, and may deter them from supporting it, whatever might be their personal sectarian feelings and wishes in regard to an open question. And further, it may be thought, that, trifling though the punishment would be, persons possessing the real dignity of cardinals, or the supposed dignity of archbishops and bishops, would shrink from the ignominy or ridicule of a common fine, or a few weeks imprisonment.

MASTER IN CHANCERY.—The Lord Chancellor has appointed William Gilbertson, Gent., of Preston, Lancashire, to be a Master Extraordinary in the High Court of Chancery.

Correspondence.

TO THE EDITOR OF "THE JURIST."

Inland Revenue Office, Oct. 25, 1850.

Sir,—I have read the letter signed "Oneratus" in THE JURIST of Saturday last, with your note appended. It has not been my habit to reply to communications of this nature, touching any particular view or opinion given in my Treatise on the Stamp Laws, although I have not failed to take advantage of any information that could be derived from remarks from time to time appearing in any of the legal periodicals upon the subject of those laws, whether made in reference to that work or otherwise; my recollection, as I write, serving to bring to my mind many excellent articles which have been occasionally published in THE JURIST; and I should not now take notice of the letter of "Oneratus" but for the note, which gives weight and authority to it. The alarm expressed by "Oneratus" on discovering my supposed erroneous opinions, lest they should affect the proper execution of the act at the "new court of stamp law," was needless; but I am led to allude to it only by your suggestion of the possibility of an intimation on my part to settle the point, whether the decisions referred to are right or wrong, by my own dictum.

I have certainly felt called upon now and then to express, somewhat strongly, my opinion on certain questions relating to stamp-duty, but I have never arrogated the right to determine any, nor have I set myself up as an oracle. My reasons have generally accompanied my opinion, the only object I have at any time had in view being, to assist the Profession in coming to a correct conclusion upon points frequently of great difficulty: it was, therefore, with a little regret that I read your remark. Upon the only point, however, in the letter of "Oneratus" which requires any discussion, I have no difficulty; and I think that, on a little consideration, you will concur in the view I have taken of the provision relating to the duty to which unstamped instruments, executed before the 11th instant, are now liable.

I have referred in my Treatise to the cases of *Doe v. Whittington*, (4 Taunt. 20); *Buckworth v. Simpson*, (1 C. M. & R. 834); and *Deakin v. Pennell*, (2 Exch. 329), as establishing the proposition, that an instrument is chargeable with the duty in force at the time of its being brought to be stamped, although such duty may vary from that which was payable when the instrument was executed. These decisions, of course, proceed upon the absence of all special enactment upon the subject, and upon the general construction of the statutes; but "Oneratus" seems to think that the judgment in the last case was pronounced in the face of a particular provision bearing or intended to bear upon the point; for he observes that the 7 Vict. c. 21, repealed the existing duty on certain agreements, and substituted a duty of 2s. 6d., with an express exception of agreements previously executed. This is a mistake; there is no such exception, and you have probably been led away by the observation. There are, as you are no doubt aware, many duties, denominated "stamp duties," which are not denoted by stamps, but are collected periodically, and for which credit is sometimes given; and others, legacy-duties for instance, payment of which is frequently greatly deferred, although due. It is therefore usual, in repealing stamp-duties, to insert a saving of all arrears; and such a saving is that to which "Oneratus" refers. The act alluded to (7 Vict. c. 21) repeals various duties, and contains the usual saving, in these words, viz. "save and except so much and such parts of the said duties respectively as shall have accrued or been incurred before or upon the passing of this act, and shall then, or at any time afterwards, be or become due or payable, and remain in arrear and unpaid; all which

duties, so remaining in arrear and unpaid as aforesaid, shall be recoverable by the same ways and means, and with such and the same penalties, as if this act had not been passed." Now, without stopping to inquire whether there were any other duties, amongst those repealed, to which this saving could apply, and therefore whether it was necessary at all, or not, it is quite certain that it could have no reference whatever to the duty on an agreement; the language is not, in any respect, applicable to such a duty. If an agreement be not stamped, the duty is not, in the sense in which the term is used, in arrear, and it is not recoverable by the Crown. So far as agreements, therefore, are concerned, there is not, as "Oneratus" seems to consider, any exception from the repeal. On turning to the recent act, (13 & 14 Vict. c. 97), the saving will be found to be wholly of a different character. The first clause recites several acts granting stamp-duties, and enacts, that from and after the 10th day of October, 1850, certain of those duties shall cease and determine, and shall be and they are thereby repealed; and that in lieu thereof certain other duties shall be payable; and then follows a proviso thus:—"Provided always, that nothing herein contained shall extend to repeal or alter any of the said duties now payable in relation to any deed or instrument which shall have been signed or executed by any party thereto, or which shall bear date, before or upon the 10th day of October, 1850." Now, I will ask, can any form of words be devised which shall more plainly or distinctly lead to the proposition that I have laid down, but with which "Oneratus" quarrels? Does it not, in unequivocal terms, save the repeal of, and therefore keep alive, the stamp-duties on instruments made or dated prior to the 11th October? If it does not, I am unable to conjecture for what purpose it was intended; it is impossible that it could have been to point out when the new duties were to commence; the language is altogether inconsistent with such a construction. It had been previously enacted, in the same clause, that these duties should take effect from and after the 10th October, and then comes the proviso to say, not to what the new duties shall apply, but to what they shall not apply; declaring, in terms not to be mistaken by any one who reads attentively, that the old duties shall remain and continue in respect of all instruments made or bearing date before the period fixed for the commencement of the new duties: and it is consistent with reason that this should be so, the propriety and necessity of a provision having this effect being obvious, under the circumstances. I have said sufficient to lead you to a further consideration of the point, and I am mistaken in my notice of the principles upon which THE JURIST is conducted, if you have not the candour to admit the error into which you have been led, on being satisfied of it. I shall be sorry if you still differ from me, but, should it be so, I am content, so far as I am concerned, to leave the point for the judgment of the Profession.

Upon the other objection, as to my exposition of the clause relating to the stamping of instruments, I have but little to say. I am unable satisfactorily to account for the note alluded to. There cannot be two opinions upon the construction of the clause. The observation was, I have no doubt, made before the law, and it escaped me to rectify it afterwards; when, however, I accidentally discovered it, in applying the law in the course of my official duties, it gave me but momentary uneasiness, seeing that it could have no injurious effect, as the enactment could only be acted upon by the office, when the proper interpretation would be put upon it. You will find it corrected in the second edition, published about a fortnight since, several days before your notice in THE JURIST.

I am, Sir, your obedient servant,

HUGH TILLEY.

[We are sorry that Mr. Tilley has misunderstood us. When we said that he could not mean to oppose his own dictum to the authorities, we meant, not to hint the contrary, but to shew that, as he had expressed a positive opinion, it must have been founded on the terms of the new act, and not on any disapproval of the decisions on the old enactments. In fact, however, there is much to be said against those decisions, though convenience is greatly in their favour, and Mr. Tilley in his Treatise (p. 5) cites them without comment.]

Assuming, with Mr. Tilley, that *Doe v. Whittington*, *Buckworth v. Simpson*, and *Deakin v. Penniell* are sound or at least binding authorities, we are still of opinion that an instrument executed before the passing of the 13 & 14 Vict. c. 97, and taken to be stamped after the 10th October, 1850, must be stamped with the same stamp which would be required if it were executed at the time of stamping. To our apprehension it is perfectly clear that the new act has nothing to do with the matter beyond raising the question by altering the stamps. The point is important, and deserves discussion, though, like most questions on the stamp laws, it can scarcely be made interesting.

It is admitted, that the stamping of instruments executed without a stamp before the new act is to be done under the authority of the old enactments for that purpose, and not under the provisions of the new act, which are confined to instruments executed after the 14th August, 1850. Now, the Stamp Acts imposed duties on various instruments, which were to be paid, and the stamps denoting the payment affixed, before the execution of the instruments. But for the special enactments in question, no stamp could (except in a few cases) be affixed to an instrument after execution. Executed instruments, then, are stamped under those special enactments—unexecuted instruments, under the general Stamp Acts for the time being in force. There are thus two classes of stamps: stamps to be used for instruments before execution, being the stamps prescribed by the general Stamp Acts for the time being in force; and stamps to be used for instruments after execution, being the stamps prescribed by the enactments for stamping executed instruments applicable to the instruments in question. What are those stamps in the case under consideration? The authorities tell us that they are the stamps which, under the laws in force at the time of stamping, would be required for unexecuted instruments of the same kind. It is only under those special enactments that any stamps can be affixed on such instruments; and the stamps must be those prescribed by them.

Then does the proviso, cited by Mr. Tilley from the new act, alter the effect of those enactments? The new act does not recite the acts under which executed instruments are stamped, but it *does* recite certain acts (55 Geo. 3, c. 184, and 5 Geo. 4, c. 117) granting duties on certain unexecuted instruments, some of which duties it repeals, and provides, "that nothing herein contained shall extend to repeal or alter any of the said duties now payable in relation to any deed or instrument which shall have been signed or executed by any party thereto or which shall bear date before or upon the 10th October, 1850." Mr. Tilley says that this is superfluous in respect of instruments stamped before execution. We shall shew presently that it is not so; but whether superfluous or not as to such instruments, it is plain, either that it does not refer to any other than "the said duties," (i. e. the duties on unexecuted instruments), or if it do refer to the duties on executed instruments also, that it leaves them on the same footing on which they previously stood, the saving being then understood to refer as well to the special provisions in the 12th section for stamping executed instruments, as to the duties on unexecuted instruments mentioned in the schedule. If, as Mr. Tilley

says, no duty is "payable" to or demandable by the Crown on an executed and unstamped instrument, the proviso must necessarily be confined to unexecuted instruments.

The stat. 37 Geo. 3, c. 136, authorised the stamping of executed instruments on payment of a penalty and of the duty "by law payable," which in *Buckworth v. Simpson* was held to mean, payable on such an instrument by the law in force at the time of stamping. The statutes in force when that case was decided are the statutes under which instruments executed before the 15th August, 1850, and unstamped, are now to be stamped. They were in force when the stamp-duties were altered by the 48 Geo. 3, c. 149, and also when the duties were altered by the 55 Geo. 3, c. 184, and when the 7 & 8 Vict. c. 21, was passed, and have been held to be unaffected by expressions in those acts much stronger than the proviso in the new act. The 55 Geo. 3, c. 184, repealed all the stamp-duties on deeds and instruments, and legacies and successions, imposed by the 48 Geo. 3, c. 149, and certain duties on pawnbrokers' licenses and policies of insurance, from the 31st August, 1815, and the yearly per-centage duties on fire insurances from the 28th September, 1815, "save and except such of the said respective duties, or so much and such parts thereof respectively, as shall have become due or payable before or upon those days, and remain in arrear or unpaid afterwards; all which duties or parts of duties so in arrear or remaining to be paid as aforesaid shall be recoverable by the same ways and means, and with such and the same penalties, and in such and the same manner in all respects, as if this act had not been made." There is a very similar saving in the 7 & 8 Vict. c. 21. Mr. Tilley says that these savings relate only to arrears of duties collected periodically, and not to the duty, for instance, on an agreement, which, he adds, cannot be in arrear, and is not recoverable by the Crown. It is possible that that was the meaning of the framers of the acts, but they have failed to express it; and though Mr. Tilley is probably right in saying, that throughout the chaos of the Stamp Acts there is not to be found any provision giving the Crown, in express terms, a remedy for stamp-duties on executed instruments, the duties on instruments executed without a stamp are certainly debts to the Crown. The duty is charged "for and in respect of" the instrument—prepayment is directed, and the stamp is declared to be a discharge. Penalties are imposed on certain persons in case of non-payment; but though the persons to pay the duty are not otherwise indicated, it is not the less payable and in arrear while the instrument remains unstamped. That this is the meaning of the proviso in the 7 & 8 Vict. c. 21, is conclusively shewn by the nature of the duties to which that act is confined—namely, the duties on policies of marine insurance, agreements, and certain powers of attorney. If, as Mr. Tilley suggests, the proviso in that act was superfluous and inapplicable, the same may be said of the proviso in the 13 & 14 Vict. c. 97. In addition to the saving cited from the 55 Geo. 3, c. 184, it is to be observed, that the duties in that act were imposed only "for and in respect of the vellum, &c. upon which such instruments, &c. shall be written or printed." No duty was imposed on instruments previously executed and unstamped.

Such being the language which has already been held to have had no effect on the special enactments as to stamping executed instruments, does the new act shew an intention to interfere with them? If any such intention had existed, the enactments intended to be altered would doubtless have been referred to, as they are referred to in general terms by the 12th section. But the 1st section does not refer to them. It enacts, "that from and after the 10th October, 1850, the several stamp-duties now payable in Great Britain and Ireland

respectively under or by virtue &c., for or in respect of the several instruments, matters, and things described or mentioned in the said schedule to this act annexed, and whereon other duties are by this act granted and imposed, shall respectively cease and determine, and shall be and the same are hereby repealed, and in lieu and instead thereof, there shall be granted, raised, levied, collected, and paid, in and throughout the United Kingdom of &c., for and in respect of the said several instruments, matters, and things, or for or in respect of the vellum, &c. upon which the same shall be written, the several duties" specified in the schedule. So far, it appears that the new duties are to commence and be paid from and after the 10th October, 1850. But in respect of what instruments? The Legislature thinks it necessary to explain. Possibly the words already cited were definite enough to enable the Courts to answer that question; but if the clause had stopped here, the answer would have been different from that furnished under the proviso which follows:—"Provided always, that nothing herein contained shall extend to repeal or alter any of the said duties now payable in relation to any deed or instrument which shall have been signed or executed by any party thereto, or which shall bear date, before or upon the said 10th day of October, 1850." So that the duties formerly payable are the duties to be paid in relation to any instrument bearing date before or upon the 10th October, 1850, though such instrument was not executed by any party before that day—a very important qualification of the preceding enactment, and fully sufficient to account for the proviso. It is evident that the proviso was inserted for the sole purpose of explaining, that instruments executed by any party, or bearing date, before the 11th October, were to remain subject to the old rules; and we have seen that these rules were—first, that in case an instrument within their scope was stamped before execution, certain duties imposed by the old acts should be payable; secondly, that in case an instrument within the old rules should not be stamped before execution, it might be stamped at any time after execution on payment of a certain penalty and the duty for the time being payable on instruments of the like nature.

With respect to the other point, Mr. Tilley must excuse us, as well as our correspondent, for omitting to notice the correction in the second edition, because he says, in the first page of that edition, that he has not found any errors in the former edition, except *typographical errors*.—Ed.]

REGULA GENERALIS.

ORDER OF COURT.

November 2, 1850.

The Right Hon. THOMAS LORD TRURO, Lord High Chancellor of Great Britain, by and with the advice and assistance of the Right Hon. HENRY LORD LEXDALE, Master of the Rolls, and the Right Hon. the Vice-Chancellor Sir JAMES LEWIS KNIGHT BRUCE, and the Hon. the Vice-Chancellor Sir ROBERT MORRIS ROLFE, doth hereby, in pursuance of an act of Parliament passed in the session of Parliament holden in the thirteenth and fourteenth years of the reign of her present Majesty, intituled "An Act to diminish the Delay and Expense of Proceedings in the High Court of Chancery in England," and in pursuance and execution of all other powers enabling him in that behalf, order and direct that all and every the rules, orders, and directions hereinafter set forth shall henceforth be, and for all purposes be deemed and taken to be, GENERAL RULES AND ORDERS OF THE HIGH COURT OF CHANCERY; viz.:—

Introductory.

I. The several Orders comprised in the General Order

of the 3rd April, 1828, which are respectively numbered 7, 9, and 10; and the Order comprised in the General Order of the 21st December, 1833, which is numbered 19; and the Order comprised in the General Order of the 9th May, 1839, which is numbered 6; and the several Orders or parts of Orders comprised in the General Order of the 8th May, 1845, which are respectively numbered as the 2nd article of the 14th of the said Order, and the 6th, 7th, 8th, 9th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, and 31st articles of the 16th of the said Order; and the several Orders comprised in the said last-mentioned General Order, which are respectively numbered 17, 19, 38, 39, 40, 41, and 42; and all other Orders and parts of Orders, so far as such other Orders and parts of Orders are inconsistent with these Orders, but not further or otherwise, are hereby abrogated and discharged.

II. All former Orders and parts of Orders not specified in Order I, so far as the same are now in force, and consistent with these Orders, or applicable to the same, or the subject-matter thereof, are to remain in full force and effect.

When these Orders are to come into Operation.

III. These Orders are, as to all suits or matters now pending or hereafter to be commenced, to take effect on this 2nd November, 1850.

Exceptions to Pleadings, &c. for Scandal, Impertinence, or Insufficiency.

IV. The times of vacation are not to be reckoned in the computation of the time allowed for filing or setting down exceptions for scandal, impertinence, or insufficiency, in cases where the time is not limited by notice given pursuant to the 13th of these Orders.

V. These Orders do not apply to any reference for scandal, impertinence, or insufficiency pending before any of the Masters at the time when these Orders come into operation; but as to all such references, the existing Rules and Orders of the Court are to remain in force.

VI. No order is to be made for leave to file exceptions *nunc pro tunc*.

VII. A defendant, whose answer is not excepted to, or set down for hearing on former exceptions, alleging that the plaintiff is prosecuting him in this court and also at law for the same matter, may, upon the expiration of eight days after his answer, or further answer, is filed, obtain, as of course, on motion or petition, the usual order for the plaintiff to make his election in which court he will proceed.

VIII. After the filing of a defendant's answer, the plaintiff has six weeks within which he may file exceptions thereto for insufficiency.

If he does not file exceptions within six weeks, such answer on the expiration of the six weeks is to be deemed sufficient.

IX. A defendant desiring to prevent exceptions to his answer for insufficiency being set down for hearing, has for that purpose only eight days after the filing of such exceptions within which he may submit to the same.

X. If a defendant, not being in contempt, submits to exceptions to his answer for insufficiency before the plaintiff has set them down for hearing, he is allowed three weeks from the date of the submission within which he is to put his further answer to the bill.

XI. The plaintiff, having filed exceptions for insufficiency to a defendant's answer, is not to set them down for hearing before the expiration of eight days from the filing of such exceptions, unless in a case of election he is required, by notice in writing from such defendant, to set them down in four days, pursuant to the 13th of these Orders, or in a case where the common injunction may be obtained or retained on the allowance of such exceptions.

XII. Exceptions to answers for insufficiency, or to any pleading or other matter depending before the Court for scandal or impertinence, or for scandal and impertinence, are to be set down for hearing by the Registrar, at the request of the party filing the same, upon the production of a certificate of the Clerk of Records and Writs of the filing of such exceptions, or (in the case of exceptions to an answer for insufficiency) of the filing of a further answer, and the same are to be advanced and put in the paper for hearing on an early day; and the party setting down any such exceptions shall, on the day on which the same shall be so set down, serve a notice thereof on the party whose pleading or other matter is excepted to, otherwise the said exceptions shall be deemed not set down.

XIII. A defendant, whose answer is excepted to, alleging that the plaintiff is prosecuting him in this court and also at law for the same matter, may, by notice in writing, require the plaintiff to set down the exceptions within four days from the service of the notice.

And if the plaintiff does not set down such exceptions within such four days, such defendant is entitled, as of course, on motion or petition, to obtain the usual order for the plaintiff to make his election in which court he will proceed.

XIV. The plaintiff, having filed exceptions for insufficiency to a defendant's answer, is to set them down for hearing after the expiration of eight days, but within fourteen days from the filing of such exceptions.

If he does not, the answer on the expiration of such fourteen days is to be deemed sufficient.

XV. The plaintiff, having shewn exceptions to a defendant's answer for insufficiency as cause against dissolving an injunction, is to set down such exceptions for hearing at the latest on the day next after shewing such exceptions as cause.

If he does not, the injunction is dissolved.

XVI. After the filing of exceptions to a defendant's answer for insufficiency, and any further answer put in, the plaintiff has fourteen days from the filing of such further answer within which he may set down the old exceptions.

If the old exceptions be not set down within fourteen days after such further answer put in, the answer is, on the expiration of such fourteen days, to be deemed sufficient.

XVII. After exceptions to an answer for insufficiency are set down for hearing, if a defendant, not being in contempt, submits to answer, or the Court holds the answer to be insufficient, the Court may, in such cases, appoint the time within which such defendant is to put in his further answer.

If such defendant does not obtain time from the Court, or does not answer within the time which the Court allows, the plaintiff may sue out process of contempt against such defendant.

XVIII. The answer of a defendant is to be deemed sufficient—

1. If no exception for insufficiency be filed thereto within six weeks after the filing of such answer.

2. If, exceptions being filed, the plaintiff does not set them down for hearing within fourteen days after the filing thereof.

3. If, within fourteen days after the filing of a further answer, the plaintiff does not set down the old exceptions.

XIX. If, after a defendant's second or third answer is filed, the plaintiff sets down the old exceptions for insufficiency, then the particular exception or exceptions to which he requires a further answer is or are to be stated in the notice of setting down such exceptions.

XX. If, upon the hearing of exceptions, the answer be held sufficient, it shall be deemed to be so from the date of the order made on the hearing; and if the

defendant submit to answer without an order from the Court, the answer shall be deemed insufficient from the date of the submission.

XXI. The Court, holding a first or second answer to be insufficient, may appoint the time within which a defendant who is not in contempt is to file a further answer.

XXII. Upon a third answer being held to be insufficient, the Court may order the defendant to be examined upon interrogatories to the points held to be insufficient, and to stand committed until he shall have perfectly answered the interrogatories; and the defendant is to pay such costs as the Court shall think fit to award.

XXIII. No pleading or other matter depending before the Court is to be set down for hearing, for scandal or impertinence, unless exceptions are taken in writing, and signed by counsel, describing the particular passages which are alleged to be scandalous or impertinent.

XXIV. Where any person or party having filed exceptions to any pleading or other matter depending before the Court for scandal, and any person or party having filed such exceptions for impertinence, does not set the same down for hearing within six days after the filing thereof, such exceptions are to be considered as abandoned, and the person or party by whom such exceptions were filed is to pay to the opposite party such costs as may have been incurred by such party in respect of such exceptions.

XXV. Upon the production of an order, made upon its being held that any pleading or other matter depending before the Court is scandalous or impertinent, the officer having the custody or charge of such pleading or other matter is to expunge from such pleading or other matter such parts thereof as the Court has held to be scandalous or impertinent, and thereupon the person or party requiring such scandalous or impertinent matter to be expunged is to pay to the officer expunging the same the same fee as on the like occasion has heretofore been paid.

Orders of Course.

XXVI. Applications to discharge, reverse, or alter any order made on motion or petition of course by the Lord Chancellor, the Master of the Rolls, or one of the Vice-Chancellors, are to be made to the judge to whom special applications, in the cause or matter in which such order is made, ought to be made according to the practice of the Court, and the General Rules and Orders applicable thereto.

XXVII. Every petition or motion paper for a reference, under the 19th section of the said act, is to be marked at or near the top or upper part thereof, in the same manner as a bill is now marked, with the name of the Lord Chancellor and one of the Vice-Chancellors, or with the name of the Master of the Rolls; and every order for any such reference is to be marked in the same manner as the said petition or motion paper, and the matter in which such order is made is thenceforth to be considered as attached to the court of the judge whose name shall be so marked upon such order, in like manner and for the like purpose as causes are attached to such court, but shall be subject to be transferred from such court, in the same manner as causes are so transferred; and the provisions of the Order comprised in the General Order of the 5th May, 1837, which is numbered 15, and of the General Order of the 5th August, 1842, shall apply to every matter so attached.

Fees.

XXVIII. The fees to be received and taken by the Registrars and their clerks, and by the Clerks of Records and Writs, and their clerks respectively, for filing a special case and all proceedings thereupon, are to be the same as are now received and taken by them re-

spectively for filing a bill and for proceedings in suits instituted by bill, and the fees to be received and taken by the Registrars and their clerks for setting down exceptions for scandal, impertinence, and insufficiency, and for orders made thereon, are to be the same as are now received and taken for setting down exceptions, and for orders made thereon.

(Signed) TRURO, C.
LANGDALE, M. R.
J. L. KNIGHT BRUCE, V. C.
R. M. ROLFE, V. C.

Court Papers.

EQUITY CAUSE LISTS, MICHAELMAS TERM, 1850.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C. Costs*—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C. Pro Confesso*—*Pl. Plea*—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*SA.* Short.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

APPEALS.

Staniland v. Willett (Ap, re-stored)	Reynell v. Sprye (Ap)
Malcolm v. Scott (Ap)	Vaughan v. Vandervegen } 2
Hughes v. Williams (Ap)	Gates v. Lord Dumborne } 3
Hughes v. Williams (Ap)	Price v. Griffith (Ap)
Walsh v. Trevanion (Ap)	Coope v. Carter (Ap)
Price v. Berrington (2 Aps)	Bayden v. Watson } (Ap)
Williamson v. Gordon (Ap)	Lardner v. Paine }
Benyon v. Nettlefold (Ap)	Hamilton v. Bankin (Ap)
Short v. Mercier (Ap)	Saunders v. Hamilton (Ap)
Fowler v. Reynal (Ap)	Swift v. Grasebrook (Ap)
Miller v. Huddleston (Ap)	Robinson v. Robinson (Ap)
Wilkinson v. Godson (Ap)	Gaston v. Frankum (Ap)
Yates v. Madden (Ap)	Bell v. Rea } (Ap)
Innes v. Sayer (Ap)	Rea v. Bell }
Menzies v. Connor (2 Aps)	Ward v. Martin (2 Aps)
Hickling v. Boyer (Ap)	Weaver v. Grant (Ap)
Rowland v. Witherden (Ap)	Haig v. Gray (Ap)
Myers v. Perigal (Ap)	Duke of Leeds v. Earl Ainslie } (Ap)
Pearson v. Goulden (Ap)	Thornes v. Harper (Ap)
Pearson v. Beck (Ap)	Watts v. Symes } (Ap)
Pearson v. Hulme (Ap)	Same v. Herniman }
Pearson v. Oldham (Ap)	Seagrave v. Pope (Ap)
Watkins v. Williams } (Ap)	Norman v. Hammack (Ap)
Havard v. Church }	Jones v. Lewis } (Ap)
Emmett v. Dewhurst (Ap)	Same v. Owen }
Briggs v. Penny (Ap)	Mayor &c. of Berwick r. Murray (2 Aps)
Hickman v. Hickman (Ap)	Monro v. Taylor (Ap)
Rodick v. Gandell (Ap)	Percival v. Caney (Ap)
Robinson v. Geldart (Ap)	Newman v. Hutton (Ap, M & order)
Salmon v. Dean (Ap)	Ogle v. Morgan (Ap)
Smith v. Pincombe (Ap)	Allen v. Wilson (Ap)
Vivian v. Cochrane (Ap)	Miller v. Priddy (Ap)
Sturgo v. Sturgo (Ap)	Sharp v. Taylor (Ap)
Pelly v. Wathen (Ap)	Letts v. London Com Ex-change Co. (Ap)
Rhodes v. Matson (Ap)	Blenkinsopp v. Blenkinsopp } (Ap)
Smith v. Smith (Ap)	Wellcley v. Wellcley (Ap)
Kekewick v. Manning (Ap)	Powell v. Dodson (Ap)
Att.-Gen. v. Murdock (Ap)	Weaver v. Grant (Ap)
Deeks v. Bell (Ap)	Evans v. Evans (Ap)
Toft v. Stephenson } (Ap)	Barnett v. Sheffield (2 Aps)
Graham v. Reeves }	
Smale v. Graves (Ap)	
Hawkes v. Eastern Counties Railway Co. (Ap)	

Before Vice-Chancellor KNIGHT BRUCE, at Lincoln's Inn.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Anderson v. Biggs (D)
 McIntosh v. Great Western Railway Co. (E)
 Evans (pauper) v. Nicholls (D)
 Gore v. Harris (Objection as to parties)
 Evans (pauper) v. Evans (D)
 Etlow v. Ashton (2 Ds)
 Richardson v. Great Northern Railway Co. (D)
 Strong v. Strong (Objection as to parties)
 Hamberlain v. Thacker
 Jordan v. Upton
 Ridger v. Wickens
 Inskill v. Hewson (F D, C, part heard)
 Harrison v. Blagood (3 causes, part heard)
 Douglas v. Douglas (E)
 Cooke v. Cunliffe
 Priory v. Ward
 Same v. Hatch
 Itkin v. Bolland (F D)
 Lumberstone v. Cazenove
 Hibbon v. Fletcher
 Towne v. Davis
 Lass v. Wellstead (E)
 Russell v. Marshall (F D, C)
 Keller v. Geller
 Watts v. Salmon
 Proule v. Tilley
 Ridgway v. Ridgway (F D)
 Town v. Heavens
 Hutchinson v. Teychenne (E, F D)
 Hilpe v. Evans (F D, C)
 Laggard v. Smith
 Elton v. Cox
 Ochrane v. Davies
 Barry v. Collins (2 causes)
 Larvey v. Bull
 Rowe v. Young
 Lott v. Lee
 Ovet v. Stirling (F D, C)
 Morgan v. Morgan
 Radney v. Yorks (F D, C)
 Moore v. France
 Essex v. Larnmouth (F D, Ptn)
 Alexander v. Osborn (F D, C)
 Ervey v. Hewitt (F D, C)
 Ome v. Webster (2 causes)
 Elarne v. Church
 Hutchins v. Hutchins
 Fenwick v. Fenwick
 Ayford v. Monro
 Harrison v. Goodale (F D, C)
 Askisson v. Bridge (F D, C)
 Fenwick v. Fenwick
 irstow v. Halifax (2 causes)
 Morris v. Aldridge
 Spratte v. Young (E)
 Same v. Same (Ca., M., Ptn)
 Alderhill v. Merry
 Embray v. Draper
 Eby v. Graceige
 Are v. Mallord (F D, C)
 Ne v. Green (F D, C)
 Ester v. Skelmerdine
 Aston v. Frith (F D, C)
 Nold v. Arnold (F D, C)
 igh v. Jagger (2 causes)
 gger v. Haigh (By order)
 yder v. Coleman (F D)
 rnell v. Porter
 Lughan v. Harries (2 causes)
 Allen v. Lloyd (A claim)

Hyde v. Anriol (Cause, Ptn)
 Lazarus v. Colback (F D)
 Craven v. Binks
 Pemberton v. French (F D)
 Matchitt v. Palmer (F D)
 Dew v. Dew
 Eversham v. Campbell (Claim)
 Hawkes v. Eastern Counties Railway Co. (E, F D)
 Dickinson v. Ward (E)
 Topping v. Howard (F D, C)
 Wamalev v. Rawlins (F D, C)
 Lyon v. Wood
 Kingsford v. Ball
 Livesey v. Leicester (F D)
 Howard v. Evans
 Jackson v. Graham
 Chubb v. Pargeter
 Collingwood v. Sitwell (F D)
 Evans v. Summers
 Strickland v. Strickland (F D, C)
 Cook v. Wright (F D, C)
 Holmes v. Eastern Counties Railway Co.
 Middleton v. Losh
 Heywood v. Grazebrook (E, Ptn)
 Roakes v. Upperton
 Williams v. Jones
 Abbott v. Snowden
 Sugden v. Brown (F D)
 Ware v. Watson
 Wyke v. Rogers (F D, C)
 Randall v. Hall (E)
 Hextall v. Cheate
 Napper v. Dendy
 Rose v. Smith (Claim)
 Higgin v. Lane (3 causes)
 Garratt v. Chalmers
 Chaplin v. Howell (F D)
 Massey v. Hare
 Woodhead v. Turner (3 causes)
 Scott v. Ellett
 Martingdale v. Hayton (F D, C)
 Basham v. Hopkins
 Jones v. Price
 Law v. Law (F D, C)
 Wright v. Warren (E, F D, C)
 Bellamy v. Morritt
 Nichols v. Hedge
 Savory v. Surr (E)
 Gurney v. Duckett (3 causes)
 Clemenson v. Hardy (F D, C)
 Davies v. Evans
 Campbell v. Sykes (F D, C)
 Attorney-Gen. v. Summers
 Moginie v. Stuart
 Davies v. Strutt
 Great Western Railway Co. v. Bower
 Edwards v. Bush
 Story v. Johnson (5 causes, F D)
 Ridler v. Yearsley
 Emery v. Phillips (F D, C)
 Singleton v. Balmer
 Lewin v. Kellett
 Humphries v. Freedy
 Sweeting v. Allnutt
 Rust v. Same
 Fenner v. Bogg (3 causes)
 Whitfield v. Parfitt
 Leach v. Baker (E)
 Close v. Close
 King v. Welch
 Peak (pauper) v. Peak
 Goodchild v. Territt (F D)

Westcott v. Cary
 Attorney-Gen. v. Delahay
 Doyle v. Collins

Causes to be transferred by Order.

Malins v. Carr (Pl)
 Menace v. Bagster
 Savory v. Savory } (E)
 Same v. Same
 Warner v. Warner
 Higgins v. Frankias
 Chilton v. Brough (E, F D)
 Harrison v. Round (F D, C)
 Sutcliffe v. Banks (F D, C)
 Jackson v. Pickering (F D, C)
 Key v. Birch
 Smith v. Capron (E, F D)
 Routledge v. Gibson (F D, C)
 Walker v. Gay (2 causes)
 Keedwell v. Cooke
 Woodhouse v. Surtees
 Seymour v. Hamilton (E, F D)
 French v. Slade (F D, Ptn)
 Porter v. Smith
 Wheeler v. Eastern Counties Railway Co.
 Russell v. Mutlow
 Preston v. Wilson (F D, C)
 Brogden v. South-eastern Railway Co. (E)
 Forshaw v. Batten
 Lock v. Lomas
 Attorney-Gen. v. Northcote (F D, C)
 Ballingall v. Jones

Hughes v. Stables (F D, C)
 Phillpson v. Gatty } (F D, C)
 Gatty v. Phillpson
 Morrison v. Hoppe (F D, C)
 Green v. Green (F D, C)
 Kirkby v. Platel (E, F D, C)
 Vernon v. Ecclesiastical Commissioners of England
 White v. Same
 Tillet v. Leake
 Hayward v. Stephens (F D, C)
 Thomas v. Thomas (F D, C)
 Radcliffe v. Carter (F D, C)
 Vincent v. Bishop of Sodor and Man (F D, C)
 Fleming v. Smith
 Jennings v. Bonser (6 causes, F D, C)
 Ringrose v. Fewster
 Cross v. Sprigg
 Knight v. Vickers
 Bensusan v. Nehemias (F D, C)
 Norton v. Hepworth (E)
 Farquhar v. Adlington
 Dawkins v. Rose
 Kendrick v. Pocock
 Gedge v. Rouse SA
 Leathart v. Thorne (2 causes)
 Gillier v. Longlands (F D, C)
 Dufaur v. Dufaur (F D, C)

Before Vice-Chancellor ROLFE, at Lincoln's Inn.

PLEAS, DEMURRERS, CAUSES, EXCEPTIONS, AND FURTHER DIRECTIONS.

Daintree v. Outlaw (2 Ds)
 Mayhew v. Wilson (D)
 Horner v. Lindor (Pl)
 Follett v. Jefferys (E, 2 sets)
 Rudall v. Hawes (E, 2 sets)
 Holroyd v. Griffiths (E)
 Attorney-General v. Lambard
 Rogers v. Hale
 Uttermare v. Stevens
 Morritt v. Walton (F D)
 Mackinnon v. Stewart
 Perkins v. Ede (E)
 Horridge v. Jones
 Goode v. Waters
 Heath v. Chapman
 Browne v. Paull (F D, C)
 Bower v. Ostler
 Geib v. Dibley
 Westbrook v. McKie (F D)
 Field v. Titmuss
 Brougham v. Squire
 Same v. Witham
 Creswicke v. Parker (F D, C)
 Long v. Bunny (F D, C)
 Sawyer v. Mills
 Hedges v. Ewing
 Attorney-Gen. v. Bodman
 Usher v. Mould
 Fletcher v. Fletcher
 Willis v. Black (F D, C)
 Underwood v. Jee
 Oakes v. Jones (F D, C)
 Lyne v. Pennell
 Pee v. Marsh (F D, Ptn)
 Wilkinson v. Leake (F D, C)
 Mayhew v. Cannan
 Hunt v. Bohn (2 causes)
 Allcock v. Kempson (3 causes)
 Joyce v. Hopkins
 Edgley v. Maslin
 Smithy v. Burrage
 Alpe v. Woodhouse

Carter v. Barnard (F D, C)
 Knight v. Knight (2 causes)
 Beasley v. Wilson
 Eyre v. Jones (F D, C)
 Peace v. Hains
 Bridges v. Hinxman (E)
 Wood v. Dench
 Mitchell v. Cobb
 Myers v. Watson
 Martin v. Welstead (F D, C)
 Belcher v. Lockey (F D, C)
 Flint v. Warren (F D, C)
 Earl of Derby v. Chamberlayne
 Wilson v. Wilson
 Taylor v. Reid (F D)
 Sewell v. Murray (E)
 Roxburgh v. Forster
 Waterhouse v. Trentham
 Fagge v. Sandys
 Wood v. Taylor (2 causes)
 Mills v. Sawyer
 Palmer v. Goren (2 causes)
 Ramsay v. Freedy (F D, C)
 Robotham v. Amphlett (F D, C)
 Langham v. Richardson
 Monro v. Proctor
 Humphrey v. Humphrey
 Stilwell v. Mellersh (F D, C)
 Steel v. Steel
 Smith v. Smith (2 causes)
 Flight v. Camac (E)
 Drake v. Drake (2 causes)
 Bird v. Bird (E, F D)
 Travis v. Newton
 Davis v. Greenlaw
 Navalshaw v. Brownrigg
 Newman v. Warner (E)
 Grover v. Bainingham (F D, C)
 Noble v. Page
 Harcourt v. Seymour (3 causes)

Matthews v. Venables (F D, Cause)
 Trutch v. Jones
 Coleman v. Smithies (F D, C)
 Lloyd v. Twining (F D, C)
 Seymour v. Lord Vernon (4 causes)
 Onslow v. Att.-Gen. (F D)
 Gardner v. Perry
 Adey v. Arnold (F D, C)
 Pugh v. King
 Nelson v. Hopkins
 Duchess de Stacpoole v. Lodge (2 causes)
 Alliborne v. Walker (3 causes)
 Fidkin v. Webb (F D, C)
 Rouse v. Laird (2 causes)
 Walter v. Corpe (F D, C)
 Lilley v. Medlycott
 Attorney-Gen. v. Andrews
 Gibson v. Gibson
 Lamb v. Loy (F D)
 Galland v. Watson (F D)
 Lord v. Weightwick (E, F D)
 Society for the Enlargement of Chapels and Churches v. Barlow
 Jones v. Morrall (F D)
 Bickford v. Bickford (E)
 Sewell v. Monypenny
 Bohn v. Bohn (F D, C)
 Walsh v. Trevanion (F D, C)
 Miles v. Durnford
 Arden v. Thompson
 Marshall v. Carter (F D, C)
 East v. Twyford

Birch v. Joy (E)
 Gray v. Gray
 Kay v. Holder (F D, C)
 Campbell v. Foster (Rehearg.)
 Bennet v. Burrell
 Eales v. Pitt
 Jones v. Williams (F D, Ptns)
 Rackstraw v. Meacher (F D, Ptns)
 Winkfield v. Ashby
 Hughes v. Shelton (F D, C) SA
 Mawdsley v. Dodd
 Sawyer v. Mills (3 causes)
 Bethane v. Leggatt (F D, C)
 Bleakey v. Bleakey
 Forbes v. Kemshead
 Piers v. Griffith (F D, C)
 Atkinson v. Gylby (E, F D, C)
 Barker v. Attorney-Gen.
 Layland v. Crocket SA
 Longstaff v. Rennison (F D)
 Flood v. Browne
 Sanders v. Sanders (F D, C)
 Bartlett v. Frankum
 Greenway v. Bromfield (F D)
 Pinckney v. Tanner SA
 Parkyn v. Wightwick
 Collett v. Newnham
 Gabriel v. Stratton
 Hardy v. Hull (F D, C)
 Wordsworth v. Darell
 Panter v. Panter
 Tovey v. Jennings
 Ashby v. Ashby
 Barlow v. Lantour
 Hemaley v. Chittenden SA

London Gazettes.

TUESDAY, NOVEMBER 5.

BANKRUPTS.

ALFRED FRENCH, East Grinstead, Sussex, plumber, Nov. 19 at 1, and Dec. 20 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Kell, Lewes, Sussex; Palmer & Co., 24, Bedford-row, London.—Petition filed Oct. 31.
 JAMES CLARKE, Old Broad-st., London, coal merchant, Nov. 20 and Dec. 20 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Lander, 2, St. Mary-at-Hill, Thames-street.—Petition filed Oct. 25.
 WILLIAM COLES, Milton-next-Gravesend, Kent, pastry-cook and confectioner, dealer and chapman, Nov. 14 at 1, and Dec. 21 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Sharland, Gravesend; Wilkinson & Co., 2, Nicholas-lane, Lombard-street, London.—Petition dated Nov. 5.
 CHARLES BRADY, Rood-lane, Fenchurch-street, London, merchant, Nov. 22 at 2, and Dec. 20 at half-past 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Crowder & Maynard, 57, Coleman-st.—Petition dated Nov. 2.
 JOHN BEEBY, Luton and Dunstable, Bedfordshire, salt merchant and carrier, dealer and chapman, Nov. 15 at 11, and Dec. 12 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Sole & Turner, 68, Aldermanbury.—Petition dated Oct. 19.
 JOHN LIVESEY and JOHN PIMM, New Lenton, Nottinghamshire, lacemakers, dealers and chapmen, (under the style of Livesey & Pimm), Nov. 15 at 12, and Dec. 13 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Percy & Smith, Nottingham.—Petition dated Oct. 21.
 JAMES GILSTON, Leeds, Yorkshire, woollendrapers, dealer and chapman, Nov. 19 and Dec. 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Middleton, Leeds.—Petition dated Nov. 4.
 ABRAHAM HOOLEY, Macclesfield, Cheshire, silk manufacturer, (trading in copartnership with Thomas Payne, under the firm of Abraham Hooley & Co.), Nov. 15 at 11, and Dec. 6 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Slater & Heelis, Manchester.—Petition filed Oct. 28.

ROBERT DUTTON REEVES, Liverpool, spirit dealer, and RICHARD HERDMAN DAWSON, Orton, Cheshire, at present out of business, (lately carrying on business as wine and spirit dealers at Liverpool, under the style or firm of R. D. Reeves & Co.), Nov. 19 and Dec. 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Yates, jun., Liverpool.—Petition filed Oct. 29.
 WILLIAM TAYLOR, Newcastle-upon-Tyne, auctioneer and innkeeper, dealer and chapman, Nov. 14 at half-past 10, and Dec. 13 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Swan & Barnap, and Joel, Newcastle-upon-Tyne; Loveland & Tweed, 64, Lincoln's-inn-fields, Middlesex.—Petition filed Oct. 30.

MEETINGS.

John Griffiths, Liverpool, wholesale stationer, Nov. 12 at 11, District Court of Bankruptcy, Liverpool, pr. d.—Daniel Grant, Chesapeake, London, lithographer, Nov. 16 at 1, Court of Bankruptcy, London, last ex.—Thos. Tappenden, Friendly-place, Old Kent-road, Surrey, tailor, Nov. 16 at 11, Court of Bankruptcy, London, aud. ac.—Henry C. Knell, Belvedere-road, Lambeth, Surrey, timber merchant, Nov. 16 at 11, Court of Bankruptcy, London, aud. ac.—Charles L. Swenson and John Birchwood, Manchester, manufacturers, Nov. 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Nov. 26 at 12, div.—Edward Round and William Round, Tipton, Staffordshire, timber merchants, Nov. 16 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—Joe. Nash and Thos. Neale, Reigate and Dorking, Surrey, bankers, Nov. 27 at 11, Court of Bankruptcy, London, div.—John W. Robson and John Barrow, St. Anne's-place, Limehouse, Middlesex, patent pump manufacturers, Nov. 29 at 12, Court of Bankruptcy, London, div.—Frederick Mountford, Greenwich, Kent, stationer, Nov. 27 at 2, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Joseph Nash and Thomas Neale, Reigate and Dorking, Surrey, bankers, Nov. 27 at 11, Court of Bankruptcy, London.—James Tovey, Watford, Hertfordshire, innkeeper, Nov. 27 at 1, Court of Bankruptcy, London.—Wm. Thos. Hens, Portsmouth, licensed victualler, Nov. 28 at 1, Court of Bankruptcy, London.—John La Guerrande, Liverpool, merchant, Nov. 27 at 11, District Court of Bankruptcy, Liverpool.—John Jowett and Thomas Jowett, Coventry, Warwickshire, grocers, Nov. 28 at 12, District Court of Bankruptcy, Birmingham.—Sarah Day, Coventry, Warwickshire, ribbon manufacturer, Dec. 2 at 11, District Court of Bankruptcy, Birmingham.—Wm. W. Thompson, Goole, West Riding of Yorkshire, butcher, Nov. 28 at 11, District Court of Bankruptcy, Sheffield.

To be granted, unless an Appeal be duly entered.

Edward Reynolds the younger, Southtown, Gorton, Suffolk, miller.—W. E. Hammond, Uxbridge, Middlesex, seed crusher.

PETITION ANNULLED.

James Villar, Leckhampton, and Cheltenham, Gloucestershire, maltster.

SCOTCH SEQUESTRATION.

James Sharp, Glasgow, dealer in shares.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Leonard Sunter, Newcastle-upon-Tyne, servant to an innkeeper, Nov. 21 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—John Avery, Newcastle-upon-Tyne, carver and gilder, Nov. 21 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—Nicholas White, Newcastle-upon-Tyne, travelling general dealer, Nov. 21 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—David Barron, Newcastle-upon-Tyne, assistant to a beer-shop keeper, Nov. 21 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—Joseph Fiddian, Birmingham, out of employ, Nov. 9 at 11, County Court of Warwickshire, at Birmingham.—Thomas Aucott, Handsworth, Staffordshire, butcher, Nov. 9 at 11, County Court of Warwickshire, at Birmingham.—Charles Hunter, Newport, Monmouthshire, baker, Nov. 19 at 3, County Court of Monmouthshire, at Newport.—John Clark, Kirbymoorside, Yorkshire, innkeeper, Nov. 29 at 11, County Court of Yorkshire, at

Helmsley.—*James Barling* the younger, Berrou, Worcester-shire, labourer, Nov. 15 at 10, County Court of Worcester-shire, at Upton-upon-Severn.—*William Johnson*, Hoghton, Lancashire, schoolmaster, Nov. 29 at 9, County Court of Lancashire, at Chorley.—*Robert Rowse*, Bath, baker, Nov. 16 at 11, County Court of Somersetshire, at Bath.—*James Ling*, Ilketshall, Suffolk, innkeeper, Nov. 19 at 1, County Court of Suffolk, at Beccles.—*Robt. W. Bryant*, Stradbroke, Suffolk, shopkeeper, Nov. 18 at 2, County Court of Suffolk, at Eye.—*Charles Pitt*, Fressingfield, Suffolk, dealer in pigs, Nov. 19 at 9, County Court of Norfolk, at Harleston.—*William Hillen*, Shottisham, Suffolk, bricklayer, Nov. 21 at 1, County Court of Suffolk, at Woodbridge.—*Joseph Laws*, Shottisham, Suffolk, jobber, Nov. 21 at 1, County Court of Suffolk, at Woodbridge.—*J. Rees*, Neath, Glamorganshire, commission agent, Nov. 16 at 10, County Court of Glamorganshire, at Neath.—*Hugh Mahoney*, Swansea, Glamorganshire, farmer, Nov. 18 at 10, County Court of Glamorganshire, at Swansea.—*E. Booth*, widow, Leamington-priors, Warwickshire, licensed victualler, Nov. 21 at 2, County Court of Warwickshire, at Warwick.—*James Ball*, Warwick, brushmaker, Nov. 21 at 2, County Court of Warwickshire, at Warwick.—*Daniel Salmon*, Warwick, beerseller, Nov. 21 at 2, County Court of Warwickshire, at Warwick.—*John Rowberry*, Pontypool, Monmouthshire, coach proprietor, Nov. 26 at 10, County Court of Monmouthshire, at Pontypool.—*Thomas Roberts*, Tredegar, Monmouthshire, baker, Nov. 21 at 10, County Court of Monmouthshire, at Tredegar.—*George D. W. Medway*, Crocombe, Somersetshire, baker, Nov. 26 at 10, County Court of Somersetshire, at Wells.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 19 at 11, before Mr. Commissioner HARRIS.

Frederick Morphet, Wanstead, Essex, professor of the piano and organ.—*Wm. Kemp*, St. John-street, Clerkenwell, Middlesex, licensed victualler.—*James Weltman*, Cambridge-lane South, Kingsland-road, Shoreditch, Middlesex, cheesemonger.—*John Gilbert*, Strahan-terrace, Liverpool-road, Islington, Middlesex, stage coach proprietor.

Nov. 20 at 11, before the CHIEF COMMISSIONER.

Benjamin Hainsell, Vine-st., Brook-hill, Hatton-garden, Middlesex, furniture dealer.—*George H. Hutchings*, Park-lane-terrace, Paddington, Middlesex, painter.—*Abraham Hunt*, Leader-st., Chelsea, Middlesex, assistant to a rag merchant.—*Samuel Pond* the elder, Vineyard-walk, Coppice-ow, Clerkenwell, Middlesex, out of business.—*James Colman* the younger, Walthamstow, Essex, omnibus driver.—*Peter Todart*, King-street, Tower-hill, London, plumber.—*Alfred A. Dowell*, Cartaret-st., Westminster, Middlesex, fruiterer.—*James Smith*, Dartford, Kent, miller.—*James Druggan*, St. ohn-st., Clerkenwell, Middlesex, shoemaker.—*Glanville H. tolls*, Oakham, Rutlandshire, gentleman.

Nov. 20 at 10, before Mr. Commissioner LAW.

Philip Wilson, Three Colt-street, Limehouse, Middlesex, abbing cooper.—*Robert Read*, Philip-st., Kingsland-road, Middlesex, smith.—*Francis Sedgwick*, Cloth-fair, West mithfield, London, sack manufacturer.

Nov. 21 at 11, before the CHIEF COMMISSIONER.

Mary Anne Allen, North-st., Maida-hill, Cadogan-road, Middlesex, out of business.—*Joseph Jennings*, Back-hill, latton-garden, Middlesex, ladies' shoemaker.—*Wm. Smith*, reenstreet-green, Dartford, Kent, carpenter.—*John Savage*, wan-place, Old Kent-road, Surrey, carpenter.—*J. Mulley*, Woodbine-cottage, West-st., London-fields, Hackney, Mid-essex, clerk to a wharfinger.

Nov. 21 at 11, before Mr. Commissioner HARRIS.

Frederick Gower, Crawley-st., Oakley-square, St. Pancras, Middlesex, tea dealer.—*Henry Bower Winter*, Cripplegate, ondon, assistant to a warehouseman.—*John Mayer*, Great ford, Essex, printer.—*Thomas Samuel Osborne*, Pearson-reet, Kingsland-road, Middlesex, milliner.

Saturday, Nov. 2.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Peter Welch, South Moor, Lanchester, Durham, grocer,

No. 72,739 C.; John Colman, assignee.—*William Jordan*, Garndiffaith, near Pontypool, Monmouthshire, shoemaker, No. 72,845 C.; Josiah Stephens, assignee.—*William Little*, Sapperton, Gloucestershire, farmer, No. 72,874 C.; Joseph Lovegrove, assignee.—*Benj. Hope*, Thavies-inn, London, and Ely-place, Holborn, Middlesex, attorney-at-law, No. 60,832 T.; John Bailey, assignee.—*Richard Candlin*, Dovaston, Shropshire, gentleman, No. 52,087 C.; Samuel Sturgis, new assignee, in place of John Harnes, deceased.

Saturday, Nov. 2.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Edmund Fulford the younger, Cook's-court, Serle-street, Lincoln's-inn-fields, Middlesex, foreman to a law stationer: in the Debtors Prison for London and Middlesex.—*Thomas Truman*, Savoy-st., Strand, Middlesex, hydraulic engineer: in the Debtors Prison for London and Middlesex.—*Rowland Morgan*, Ashley-terrace, Shepherdess-walk, City-road, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Emanuel William Violet*, Upper Stamford-st., Blackfriars-road, Surrey, attorney-at-law: in the Queen's Prison.—*George William Wilkinson*, Lansdown-road, Notting-hill, Middlesex, surgical instrument maker: in the Debtors Prison for London and Middlesex.—*Thomas Robson*, Herbert-street, New North-road, Islington, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Saml. Benjamin*, New-st., Gravel-lane, Hounds-ditch, London, general dealer and dealer in wines: in the Debtors Prison for London and Middlesex.—*J. Wait*, Duke-street, Portland-place, Marylebone, Middlesex, bootmaker: in the Debtors Prison for London and Middlesex.—*Robert Nicol*, Rose-cottage, Peckham-rye, Surrey, grocer: in the Debtors Prison for London and Middlesex.—*John Paston* the elder, Grover's-buildings, Uxbridge-road, Ealing, Middlesex, farmer: in the Debtors Prison for London and Middlesex.—*Benjamin Hollingsworth*, Millman's-row, King's-road, Chelsea, Middlesex, omnibus driver: in the Debtors Prison for London and Middlesex.—*Henry Bird*, Field-cottage, John-street, Upper Holloway, Middlesex, surgeon: in the Debtors Prison for London and Middlesex.—*Richard Leath*, Chapel-street, Pentonville, Middlesex, grocer: in the Queen's Prison.—*Jonas Turner*, Bradford, Yorkshire, auctioneer: in the Gaol of York.—*John Walbank*, Keighley, Yorkshire, woolcomber: in the Gaol of York.—*Robert Hobson*, Brig-gate, Leeds, Yorkshire, brush manufacturer: in the Gaol of York.—*Edmund Thomas Hale*, Tydfils-well, Merthyr Tydvil, Glamorganshire, chemist: in the Gaol of Cardiff.—*Richard Webster*, Rose-vale, Everton, Liverpool, cart owner: in the Gaol of Lancaster.—*George Ingram*, Rugby, Warwickshire, letter carrier: in the Gaol of Coventry.—*John Mitchell*, Little Horton-lane, near Bradford, Yorkshire, corn miller: in the Gaol of York.—*William Campbell*, Cowley-cottage, Brampford Speke, Devonshire, railway clerk: in the Gaol of Exeter.—*Ann Woodward*, North Anston, near Worksop, Yorkshire, shopkeeper: in the Gaol of York.—*Amos Smith*, Addingham, near Skipton, Yorkshire, grocer: in the Gaol of York.—*George Wilson*, Newcastle-upon-Tyne, eating-house keeper: in the Gaol of Newcastle-upon-Tyne.—*James Piggott* the elder, Crewe, near Nantwich, Cheshire, gardener: in the Gaol of Chester.—*John Bethell*, Manchester, cabinet maker: in the Gaol of Lancaster.—*Henry Guy*, Ipswich, Suffolk, and Harwich, Essex, attorney-at-law: in the Gaol of Springfield.—*William Schofield*, Liverpool, pawnbroker's assistant: in the Gaol of Lancaster.—*John Augustine Jackson*, Manchester, screw manufacturer: in the Gaol of Lancaster.—*Robt. Parry*, Liverpool, joiner: in the Gaol of Lancaster.—*Thos. Theston*, Ardwick, Manchester, railway porter: in the Gaol of Lancaster.—*Samuel Ward*, Lee, Kent, foreman to a builder: in the Gaol of Maidstone.—*Thomas Wilding*, Liverpool, ship chandler: in the Gaol of Lancaster.—*John Dentith*, Liverpool, coal proprietor: in the Gaol of Lancaster.—*Lawrence Whitaker*, Flax Moss, near Haslingdon, Lancashire, wool sorter: in the Gaol of Lancaster.—*William Brear*, Westgate, Wake-field, Yorkshire, licensed victualler: in the Gaol of York.—*George Appleby*, Shincliffe-mill, near Durham, out of business: in the Gaol of Durham.—*Charles Robinson*, Bank, Barnard Castle, Durham, blacksmith: in the Gaol of Durham.—*John Eddy*, St. Buryan, Cornwall, farmer: in the Gaol of Bodmin.—*Edward Rogers*, New Swindon, Wiltshire, surgeon: in the

Gaol of Fisherton Anger.—*Thomas Turton*, Seaton Carew, Durham, brewer's clerk: in the Gaol of Durham.—*James Cox*, Hulme, Manchester, ironfounder: in the Gaol of Lancaster.—*Thomas Nettleton*, Bowling, near Bradford, Yorkshire, provision dealer: in the Gaol of York.—*George Coulson the elder*, Scarborough, Yorkshire, stonemason: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 19 at 11, before Mr. Commissioner HARRIS.

John Martin, Mary-street, Hoxton Old-town, Middlesex, surgeon.

Nov. 20 at 10, before Mr. Commissioner LAW.

Geo. Jos. Ford, Blackfriars-road, Surrey, out of business.

Nov. 21 at 11, before the CHIEF COMMISSIONER.

Stephen George Burridge, The Oval, Hackney-road, Middlesex, out of business.

Nov. 21 at 11, before Mr. Commissioner HARRIS.

Henry George Summers, Great Chapel-street, Westminster, Middlesex, dairyman.—*Rowland Morgan*, Ashley-terrace, Shepherdess-walk, City-road, Middlesex, carpenter.—*John Wm. Lloyd*, Coach and Horses-yard, Old Burlington-street, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at EXETER, Nov. 16 at 10.

Thomas Dewdney, Plymouth, corn dealer.

At the County Court of Warwickshire, at WARWICK, Nov. 21.

John Wells Lane, Emscote, in no business.

At the County Court of Kent, at CANTERBURY, Nov. 21.

George Laslett, Hoaden-farm, Ash, farmer.

FRIDAY, NOVEMBER 8.

BANKRUPTS.

GEORGE CLIVE SEARLE, Tyndale-place, Islington, Middlesex, apothecary, dealer and chapman, Nov. 16 at 2, and Dec. 21 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. E. & E. H. Smith, 2, Great James-st., Bedford-row, London.—Petition dated Nov. 7.

ALEXANDER BLACK, Wellington-street North, Covent-garden, Westminster, Middlesex, bookseller, dealer and chapman, Nov. 27 and Dec. 20 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Mardon & Prichard, 99, Newgate-street.—Petition filed Nov. 8.

JOHN ROWBOTHAM, Albion Mill, Sutton, near Macclesfield, Cheshire, silk manufacturer, dealer and chapman, Nov. 22 and Dec. 13 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sol. Norris, Macclesfield.—Petition filed Nov. 6.

ROBERT GARTON, Kingston-upon-Hull, boot and shoe maker, Nov. 29 and Dec. 18 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Sidebottoms, Hull.—Petition dated Oct. 18.

MEETINGS.

Stephen Charles Lakeman, St. Mildred's-court, London, commission agent, Nov. 20 at 1, Court of Bankruptcy, London, last ex.—*Edward Burt*, Langley-place, Commercial-road East, Middlesex, baker, Dec. 3 at 11, Court of Bankruptcy, London, last ex.—*James Priestley*, Radcliffe, Lancashire, cotton spinner, Nov. 19 at 12, District Court of Bankruptcy, Manchester, last ex.—*Robert Bernard*, Carnaby-st., Golden-square, Middlesex, oilman, Nov. 20 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Charles Porter*, Bocking, Essex, out of business, Nov. 27 at 1, Court of Bankruptcy, London, aud. ac.; Nov. 29 at half-past 11, div.—*R. Opland*, Union-street, Whitechapel, Middlesex, linendraper, Nov. 20 at half-past 1, Court of Bankruptcy, London, aud. ac.; Nov. 29 at 11, div.—*John Mainprize*, Soham, Cambridgeshire, innkeeper, Nov. 20 at 12, Court of Bankruptcy, London, aud. ac.—*John Wordsworth Robson* and *John Barrow*, St. Ann's-place, Limehouse, Middlesex, patent pump manufacturers, Nov. 21 at 2, Court of Bankruptcy, London, aud. ac.—*James Toovey*, Watford, Hertfordshire, innkeeper, Nov. 27 at 1, Court of Bankruptcy, London, aud. ac.—*Jas. Newland Baker*, Alton, Southampton, auctioneer, Nov. 20 at

1, Court of Bankruptcy, London, aud. ac.—*Chas. Culbert*, Kennington-cross, Lambeth, Surrey, corn dealer, Dec. 3 at 1, Court of Bankruptcy, London, aud. ac.—*Robert Wesley*, Greenwich, Kent, bootmaker, Dec. 3 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Joseph Turner*, Eastbourne, Sussex, draper, Dec. 3 at 11, Court of Bankruptcy, London, aud. ac.—*Jos. Brown*, Gravesend, Kent, grocer, Nov. 27 at 12, Court of Bankruptcy, London, aud. ac.—*Henry Fed*, Ludgate-hill and Newgate-st., London, printer, Nov. 22 at 1, Court of Bankruptcy, London, aud. ac.; Nov. 29 at 1, div.—*Charles Marsh Adams* and *Charles Warren*, Shrewsbury and Market Drayton, Shropshire, bankers, Dec. 3 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Ester Smith*, Southwell, Nottinghamshire, innkeeper, Dec. 6 at 12, District Court of Bankruptcy, Nottingham, aud. ac.—*Wm. Bates*, Tithby, Nottinghamshire, horse dealer, Nov. 29 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Henry Clark*, Leicester, cabinet maker, Nov. 29 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Wm. Lucas*, Preston, Lancashire, innkeeper, Nov. 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Benjamin Wright*, Liverpool, ship broker and merchant, Nov. 20 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Broadbent*, Halifax, Yorkshire, draper, Nov. 21 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Jas. Robinson*, Ripon, Yorkshire, surgeon, Nov. 28 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 29 at 11, div.—*J. Eastwood*, Farnley Tyas, Almondbury, Yorkshire, manufacturer, Nov. 28 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 29 at 11, div.—*Wm. Walford*, Great Winchester-street, London, merchant, Nov. 29 at 11, Court of Bankruptcy, London, div.—*Charles O'Neil*, Newman-street, Oxford-street, Middlesex, picture dealer, *Robt. Salkeld*, Fontmell Magna, Dorsetshire, clerk, and *G. S. Digby*, Esq., Bishop's Caudle, Dorsetshire, Nov. 29 at half-past 11, Court of Bankruptcy, London, fin. div. sep. est. of *Robt. Salkeld*.—*J. King* and *J. P. King*, Wells-row, Islington, Middlesex, builders, Nov. 20 at 11, Court of Bankruptcy, London, div.—*W. Holmes*, Friday-street, Cheapside, London, silk gauze manufacturer, Nov. 29 at 11, Court of Bankruptcy, London, div.—*A. G. W. Biddulph*, *John Wright*, *Henry Robinson*, and *E. Wm. Jennings*, Henrietta-street, Covent-garden, Middlesex, bankers, Dec. 3 at 12, Court of Bankruptcy, London, div.—*Asher Prior* and *Wm. Prior*, Tonbridge-place, New-road, Middlesex, ironmongers, Dec. 3 at 2, Court of Bankruptcy, London, div.—*George Bauckham* and *Sarah Bauckham*, widow, Gravesend, Kent, and Barking, Essex, boat builders, Nov. 29 at 2, Court of Bankruptcy, London, fin. div.—*John Nokes*, Guildford-street, Russell-square, St. Pancras, and New Ormond-street, St. George the Martyr, Middlesex, builder, Dec. 2 at 1, Court of Bankruptcy, London, div.—*Thomas Smarowitz*, Scarborough, Yorkshire, wine merchant, Dec. 2 at 2, Court of Bankruptcy, London, div.—*John Walford*, Stamford, Lincolnshire, innkeeper, Nov. 29 at 10, District Court of Bankruptcy, Nottingham, aud. ac. and div.—*C. Pretty*, Leicester, grocer, Dec. 6 at 12, District Court of Bankruptcy, Nottingham, aud. ac. and div.—*William Lucas*, Preston, Lancashire, innkeeper, Dec. 2 at 12, District Court of Bankruptcy, Manchester, first and fin. div.—*Thos. T. Cooke*, Manchester, bill vendor, Dec. 2 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Thomas Bamford*, Rochdale, Lancashire, woollen manufacturer, Dec. 2 at 12, District Court of Bankruptcy, Manchester, fin. div.—*R. Knight*, Lancaster, tea dealer, Dec. 10 at 12, District Court of Bankruptcy, Manchester, div.—*H. Clarke*, Liverpool, merchant, Nov. 29 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. Bridon*, Liverpool, chemist, Nov. 29 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary as before the Day of Meeting.

John H. Spicer, Wandsworth Paper-mills, Wandsworth, Surrey, paper maker, Nov. 30 at 12, Court of Bankruptcy, London.—*Chas. M. Wilkinson*, Ulverstone, Lancashire, wine merchant, Dec. 4 at 12, District Court of Bankruptcy, Manchester.—*Mary Bakewell*, Manchester, size manufacturer, Dec. 4 at 12, District Court of Bankruptcy, Manchester.—*Edw. P. Simmonds*, Birmingham, commercial traveller, Dec. 2 at half-past 10, District Court of Bankruptcy, Birmingham.—*Edward Round* and *Wm. Round*, Tipton, Staffordshire, timber merchants, Dec. 2 at half-past 10, District Court

of Bankruptcy, Birmingham.—*Wm. W. Thompson*, Goole, Yorkshire, butcher, Nov. 28 at 11, District Court of Bankruptcy, Leeds, (and not at the *Council-hall, Sheffield*, as before advertised).—*Edward Stidworthy*, Modbury, Devonshire, innkeeper, Dec. 3 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Samuel Sutton, Old Bailey, London, hardwareman.—*James Davies*, Bromley, Middlesex, builder.—*Wm. Claridge*, High-street, Bromley, Middlesex, butcher.—*Edward Foster*, Chesterton, Cambridgeshire, agricultural machinist.—*George Carr Temperley*, Kingsland-crescent, Middlesex, coal merchant.—*James H. Gill*, Plumber's-row, City-road, Middlesex, grocer.—*Gilbert F. Girdwood*, Maida-hill, Middlesex, chemist.—*Jane Thomas*, widow, Brynmawr, Breconshire, grocer.—*Thos. Binckes*, Brunswick-place, Blackheath, Kent, dealer in Berlin wools.—*James Haworth*, Clitheroe, Lancashire, common brewer.—*John Gray* and *Robert Williams*, Chester, engineers.—*Thomas Thomas*, Dudley, Worcestershire, iron merchant.

PARTNERSHIP DISSOLVED.

Wm. Thurgood and *George F. Thurgood*, Finner's-hall, Old Broad-st., London, attorneys and solicitors.

SCOTCH SEQUESTERATIONS.

Thomas Baigrie, Edinburgh, farmer.—*Alexander Baigrie*, Edinburgh, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Anderson, Bishport, Bedminster, Somersetshire, dairyman, Nov. 20 at 11, County Court of Gloucestershire, at Bristol.—*Matilda Hope*, Bristol, lodging-house keeper, Nov. 20 at 11, County Court of Gloucestershire, at Bristol.—*John Osborne*, Stansted Mountfitchet, Essex, hairdresser, Nov. 12 at 12, County Court of Hertfordshire, at Bishop's Stortford.—*Thomas Wright*, Bishop's Stortford, Hertfordshire, baker, Nov. 12 at 12, County Court of Hertfordshire, at Bishop's Stortford.—*James Buck*, Knaresborough, Yorkshire, furniture broker, Nov. 21 at half-past 10, County Court of Yorkshire, at Knaresborough.—*John Bydewell*, Cradley, Herefordshire, farmer, Nov. 22 at 10, County Court of Herefordshire, at Bromyard.—*John Marshall*, Navenby, Lincolnshire, dealer in hardware goods, Nov. 21 at 10, County Court of Lincolnshire, at Lincoln.—*Robert Gibbons*, St. Michael-le-Belfrey, York, inkster, Nov. 23 at 10, County Court of Yorkshire, at York.—*Jas. Bishop*, Brambling, Ickham, Kent, tea dealer, Nov. 21 at 10, County Court of Kent, at Canterbury.—*John William Daniels*, Brighton, Sussex, carver and gilder, Nov. 22 at 12, County Court of Sussex, at Brighton.—*Thomas Hanley*, St. Chad, Shrewsbury, Shropshire, clerk in the Shrewsbury Post-office, Nov. 26 at 10, County Court of Shropshire, at Shrewsbury.—*Henry Stuart Byron*, Brighton, Sussex, schoolmaster, Nov. 22 at 12, County Court of Sussex, at Brighton.—*James Smithies*, Laister Dyke, Bradford, Yorkshire, warehouseman, Nov. 26 at 11, County Court of Yorkshire, at Bradford.—*James Smele*, Bristol, out of business, Dec. 18 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Stallard*, Bedminster, Bristol, teazle dealer, Dec. 18 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 22 at 11, before Mr. Commissioner HARRIS.

Robert Williams, Aldenham-street, St. Pancras, Middlesex, watch-spring maker.—*Thomas Hart*, Borough-road, Southwark, Surrey, superannuated comptroller of accounts in her Majesty's Customs.—*George Humberstone*, East-st., Globe-ene, Mile-end, Middlesex, servant to the London Dock Company.—*Hastings Moore*, Burr-st., East Smithfield, Middlesex, clerk in the St. Katherine's Dock Company.

Nov. 22 at 10, before Mr. Commissioner LAW.

John Bruce, St. George's-road, Southwark, coal dealer.—*Charles Carruthers*, Crawford-street, Marylebone, Middlesex, it of business.

Nov. 23 at 11, before Mr. Commissioner PHILLIPS.

Alfred Quilter, Curtain-road, Shoreditch, Middlesex, bedding manufacturer.—*John Tunge*, Obester-terrace, Borough-

road, Surrey, beer-shop keeper.—*Thos. Shepherd*, Rafford's-buildings, High-street, South-side, Islington, Middlesex, dealer in butter.—*Wm. Warwick*, Clare-street, Clare-market, fishmonger.—*William London*, Well-street, Hackney, Middlesex, general-shop keeper.

Nov. 25 at 10, before Mr. Commissioner LAW.

Thomas Wilson, South Upminster, Essex, carpenter.—*William Giddins*, Arnold's-paragon, Francis-street, Newington, baker.

Nov. 25 at 11, before Mr. Commissioner PHILLIPS.

James Crowley, High-street, Shadwell, Middlesex, shoemaker.—*John Angus* the younger, Frith-street, Soho, Middlesex, out of business.—*David Lewis Lewis*, Robert-place, Bowling-green-lane, Clerkenwell, Middlesex, japanner.—*John Benn*, Hamworth, Middlesex, dealer in horses.—*John Tubbs*, Waterloo-road, Surrey, bedstead maker.—*Paul M'Intyre*, Tooley-street, Southwark, Surrey, out of business.—*Samuel Porter*, Blackfriars-road, Surrey, tailor.—*William Clark*, Eddingham-place, Deptford, Kent, public-house keeper.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 23 at 11, before Mr. Commissioner PHILLIPS.

John M' Candie Campbell, Woodwich, Kent, lieutenant in the Royal Artillery.—*Joseph King*, Stoney-street, Borough-market, Surrey, greengrocer.—*Matthias John Rowe*, Perry-street, Skinner-street, Somers-town, Middlesex, out of business.—*Chas. Worsman*, Commercial-wharf, Kingland-road, Middlesex, mill sawyer.

Nov. 25 at 11, before the CHIEF COMMISSIONER.

Eleanor Foster, widow, Gray's-inn Coffee-house, Holborn, Middlesex, not in any trade.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Baynes Pinder, Burnley, attorney-at-law, No. 71,605; *Richard Holmes*, assignee.—*Geo. Kirkham*, Mount-pleasant, Newton-heath, near Manchester, out of business, No. 72,967; *William Houghton*, assignee.—*John Schofield*, Wolstanton-holme-fold, near Rochdale, banksman at a colliery, No. 72,976; *Richard Clegg* and *John Chadwick*, assignees.—*John Windley*, Liverpool, lodging-house keeper, No. 72,953; *William Walker*, assignee.—*John Townsend*, Manchester, beer-house keeper, No. 72,758; *George Birrell*, assignee.—*Joshua Dineley*, Lancaster, attorney-at-law, No. 72,996; *William Worsley*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Nov. 22 at 11.

James Hopwood, Blackburn, out of employment.—*Richard Hargreaves*, Toxteth-park, Liverpool, bookkeeper.—*Richard Webster*, Everton, Liverpool, cartowner.—*William Schofield Hooker*, Liverpool, pawnbroker's assistant.—*Robert Perry*, Liverpool, joiner.—*Thomas Theaton*, Ardwick, Manchester, railway porter.—*John Augustine Jackson*, Manchester, screw manufacturer.—*John Bethell*, Manchester, out of business.—*James Booth*, Pilkington, near Bury, out of business.

MARRIAGE.

John Mallalieu, Shaws, within Saddleworth, Yorkshire, out of business, Nov. 27 at 3, Swan Inn, Dobcross, within Saddleworth, sp. aff.

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The Jurist

No. 723—VOL. XIV. NOVEMBER 16, 1850.

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LONDON, NOVEMBER 16, 1850.

THE result of the numerous authorities upon the acceptance of goods sufficient to satisfy the Statute of Frauds is stated in the text-books* to amount to this—that the vendor on the one hand must be precluded from retaining any lien, and the purchaser on the other from objecting to the quantity or quality of the goods. It is also added as a rule, that if the purchaser deals with the commodity as if it were in his actual possession, this will supersede the necessity of proving an actual receipt. The Court of Queen's Bench have, however, recently decided that there may be a sufficient acceptance of goods under the statute, although the right of the buyer to object that the goods do not comply with the terms of the contract of sale still remains. (*Morton v. Tibbett*, 14 Jur., part 1, p. 669).

The facts of the case were as follows:—A verbal contract was entered into for the purchase of fifty quarters of wheat according to sample, each quarter to be of a specified weight. The next day the wheat (without being weighed) was delivered by the plaintiff (the vendor) on board the lighter of a general carrier by canal, sent for that purpose by the defendant (the buyer), and on that day the defendant sold the wheat, by the same sample, and on the same terms as to the weight, to one Hampson, and directed the carrier to convey it to him. The wheat, immediately upon its arrival, was found by Hampson not to be of the weight stipulated for, and the same day he gave notice of his rejection of the contract to the defendant, who thereupon communicated with the plaintiff, and declined to receive the wheat. In an action for the price of the

goods, the jury were held justified in finding a sufficient acceptance and receipt to render the contract valid. Lord Campbell, in delivering judgment, observed, that some cases had proceeded upon a supposition that there must first have been a receipt, and after that an actual acceptance of the goods, but that the words of the statute are, "except the buyer shall accept part of the goods so sold, and actually receive the same," shewing that the acceptance is to precede, or at all events to be contemporaneous with, the actual receipt of the goods, and not to be a subsequent act after the goods have been received, weighed, measured, or examined. The fact of part performance, however minute, dispensing with a written memorandum, was also relied upon, as proving that the condition imposed is not a complete fulfilment of the contract to the satisfaction of the buyer.

The following cases, which were cited for the defendant, were then examined in the judgment:—

Howe v. Palmer, (3 B. & Al. 321), in which, though the vendor had measured off and set apart the goods purchased, yet they were to remain in the possession of the vendor until called for, and therefore the purchaser neither accepted nor received the goods.

Tempest v. Fitzgerald, (3 B. & Al. 680), in which the horse purchased was to remain in the vendor's possession until the purchaser fetched it away, and paid for it; and the Court decided that there was no acceptance, on the ground that it was a ready money bargain, and that the defendant would acquire no property in the horse until the money was paid.

Hanson v. Armitage (5 B. & Al. 557) and *Norman v. Phillips*, (14 M. & W. 277), where the only delivery was to a carrier for the purchaser, and it was held not to amount to an acceptance.

* See Chitty on Contracts, 344, 4th ed.; Taylor on Evidence, 703; and Selwyn's Nisi Prius, 869, 9th ed.



Carter v. Toussaint (5 B. & Al. 855) and *Smith v. Surman*, (9 B. & Cr. 561), where the goods always remained in the possession and under the control of the vendor. In reference to the last-mentioned case, Lord Campbell observed, "That there can be no acceptance and receipt by the purchaser, while the lien of the vendor remains, is clear enough, for the vendor's lien necessarily supposes that he retains the possession of the goods." The Court of Queen's Bench, in the principal case, approved of these decisions, (though not of all the reasons and dicta mixed up with them), and relied upon the fact that the purchaser had exercised acts of ownership over the goods; that he could not have resold them and altered their destination without having accepted and received them; that he ought not to be allowed to say that he had done so; and that at any rate it was evidence whence acceptance and receipt might be inferred by the jury. Such a finding had been sanctioned, under similar circumstances, in *Chaplin v. Rogers*, (1 East, 192); *Blenkinsopp v. Clayton*, (1 J. B. Moo. 328); *Edan v. Dudfield*, (1 Q. B. 302); and see *Hart v. Pattley* (3 Camp. 528) and *Bushel v. Wheeler*, (8 Jur., part 1, p. 352).

To these may be added the decision in *Saunders v. Topp*, (18 L. J., Ex., 374), which was not cited in the principal case, where the defendant had selected some sheep from the plaintiff's flock, and verbally agreed to purchase them, and the plaintiff, by the defendant's orders, afterwards delivered them at a field of the defendant's, whence the defendant had them removed, by his own man, to his farm; and on their arrival there, the defendant saw and counted them, and said they were all right: this was held evidence for the jury of acceptance, although the next day the defendant wrote to the plaintiff repudiating the sheep as not being those he had purchased, and sent them back to the plaintiff.

It may, we think, be assumed that the Court were of opinion that a mere delivery to a carrier named by the vendee is not an acceptance within the statute, because otherwise they would have decided the case on this ground, as being the most obvious and simple one, and also because they appeared to approve of the decision in *Norman v. Phillips* upon the reason given by the Court, that the carrier was only an agent for the purpose of carrying, and that the purchaser himself immediately refused to take the goods. And recent cases seem to shew, that, though the delivery to a carrier may be a delivery to the purchaser, it is not an acceptance by him, (see *Johnson v. Dodson*, 2 M. & W. 656; *Acabal v. Levy*, 10 Bing. 376; *Coats v. Chaplin*, 3 Q. B. 483), unless the vendee retain the goods for an unreasonable time. (*Bushel v. Wheeler*, 8 Jur., part 1, p. 532).

In *Saunders v. Topp* (supra) it was doubted whether there could be an acceptance before delivery, under the statute; and the principal case seems to answer this in the affirmative, or at all events to decide that a constructive delivery is sufficient.

The requirements for the passing of property under the statute and at common law are different, as is pointed out by Parke, B., in the above case of *Saunders v. Topp*, where he says, "At common law the property passes by contract of bargain and sale of a specific

article; but under the statute, in order that the property should pass, there must be something more than a verbal contract—there must be a payment or an acceptance." (And see per Patteson, J., in *Curtis v. Pugh*, 16 L. J., Q. B., 199; and *Dyer v. Cowley*, 12 Jur., part 1, p. 776). And at common law, if goods, part of an entire bulk, be sold, the contract is incomplete if such part has not been distinguished and separated from the bulk. (*Gillett v. Hill*, 2 Cr. & M. 530; *Wait v. Baker*, 2 Exch. 1).

COURT OF QUEEN'S BENCH.

MICHAELMAS TERM.—14 VICTORIA.—Nov. 14, 1850.

This Court will, on Wednesday the 27th and Thursday the 28th days of November instant, and on Tuesday the 3rd, Wednesday the 4th, Thursday the 5th, Friday the 6th, and Saturday the 7th days of December next, hold sittings, and will proceed in taking the Country New Trials, and any other specially appointed cases, and give judgment in cases previously argued.

By THE COURT.

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William Dent, Esq., Sudeley Castle.
Winchcomb Henry Howard Hartley, Esq., Sodbury.
- Herefordshire*—Charles Thomas Bodenham, Esq., Rochester.
Richard Hereford, Esq., Sufton.
John Francis Smith, Esq., Whitbourne.
- Hertfordshire*—Henry Rogers, Esq., Stagenhoe.
Wynn Ellis, Esq., Ponsbourne Park.
Sir George Edward Earle Lytton Bulwer Lytton, Bart., Knebworth Park.

Kent—Ford Wilson, Esq., Blackhurst, Tonbridge Wells.
Sir John William Lubbock, Bart., High Elms.
Francis Colville Hyde, Esq., Lyndale.

Leicestershire—Sir Cornwallis Ricketts, Bart., Beaumont
Leyes.
Edward Henshaw Cheney, Esq., Gaddesby.
Sir George Howland Beaumont, Bart., Coleorton.

Lincolnshire—Sir Charles Henry John Anderson, Bart., Lea.
George Tomline, Esq., Riby Grove.
Joseph Livesey, Esq., Stourton.

Monmouthshire—Thomas Wakeman, Esq., The Graig.
The Hon. William Powell Rodney, Llanvihangel
Court.

Ferdinand Hanbury Williams, Esq., Coldbrook Park.

Norfolk—Sir Willoughby Jones, Bart., Cranmer Hall, Scul-
thorpe.
Sir Charles Chad, Bart., Thursford.
Frederick William Irby, Esq., Boyland Hall.

Northamptonshire—Sir Charles Edmund Isham, Bart., Lam-
port Hall.
Langham Christie, Esq., Preston Deanry.
The Right Hon. Anthony Henley Lord Henley,
Watford.

Northumberland—Sir Horace St. Paul, Bart., Ewart Park.
Thomas Wood Crafter, Esq., Crafter Tower.
Walter Selby, Esq., Biddleston.

Nottinghamshire—John Franklin, Esq., Gonalston.
Henry Frederick Walker, Esq., Blyth Hall.
Thomas Spragging Godfrey, Esq., Balderton.

Oxfordshire—John Brown, Esq., Kingston Blount.
John Henry Ashurst, Esq., Waterstock.
Henry Norris, Esq., Wroxton.

Rutlandshire—John Walker, Esq., Wardley.
John Moore Paget, Esq., Clipsham.
The Hon. William Charles Evans Freke, Biabrook.

Shropshire—Robert Henry Cheney, Esq., Badger Hall.
Robert Burton, Esq., Longner Hall.
John Michael Severne, Esq., Wallop Hall.

Somersetshire—Thomas Tutton Knyton, Esq., Uphill.
Montague Gore, Esq., Barrow Court.
Francis Henry Dickinson, Esq., Kingweston.

Staffordshire—Philip Barnes Broade, Esq., Fenton Manor
House.
John Barker, Esq., Wolverhampton.
Edward Buller, Esq., Dilthorne.

Southampton—William Kingsmill, Esq., Sydmonton Court,
Kingsclere.
Francis Jervoise Ellis Jervoise, Esq., Herriarce
House.
Walter J. Long, Esq., The Holt, Bishop Waltham.

Suffolk—The Right Hon. John Lord Henniker, Thornham
Hall.
Frederick Barne, Esq., Sotterley.
James Hamilton Lloyd Anstruther, Esq., Hintle-
sham Hall.

Surrey—John Sparkes, Esq., Gosden House, Shalford.
George Robert Smith, Esq., Seladen, Croydon.
Robert William Crawford, Esq., Mickleham Hall.

Sussex—David Lyon, Esq., Goring.
Sir Isaac Lyon Goldsmid, Bart., Hove.
John Day, Esq., Newick.

Warwickshire—Sir John Newdigate Chetwode, Bart., Analey
Hall.
Mark Phillips, Esq., Snitterfield.
Sir William Edmund Cradock Hartopp, Bart., Four
Oaks Hall, Sutton Coldfield.

Westmoreland—Wm. Crackenthorpe, Esq., Newbiggen Hall.
Edward Wilson, Esq., Rigmaden.
Richard Burn, Esq., Orton Hall.

Wiltshire—Graham Moore Michell Esmeade, Esq., Monkton
House.
John Grove, Esq., Fern House.
Joseph Everett, Esq., Heytesbury.

Worcestershire—Sir Thomas Edward Winnington, Bart.,
Stanford Court.
Sir E. Hungerford Lechmere, Bart., The Rhydd.
Charles Noel, Esq., Bell Hall.

Yorkshire—Sir John Henry Lowther, Bart., Swillington,
Wakefield.
Andrew Montague, Esq., Melton Park.
The Hon. Payan Downey, Benningborough Hall.

WALES.

Anglesey—Thomas Owen, Esq., Tyddy Glan-y-mor.
Evan Lloyd, Esq., Maes-y-porth.
Rice Roberts, Esq., Tal-y-Llyn.

Breconshire—Paul Mildmay Pell, Esq., Tymawr.
David Watkins Lloyd, Esq., Aberllech, otherwise
Llandilo.
Robert Raikes, Esq., Treberfedd.

Carnarvonshire—John Williams, Esq., Hafodyllan.
Sir Charles Felix Smith, Knt., Pendyffryn.
Martin Williams, Esq., Penamaer.

Carmarthenshire—Timothy Powell, Esq., Penycoed.
Charles Hemlyn Williams, Esq., Dallys Court.
John Henry Phillips, Esq., Duffeyn Brogyn.

Cardiganshire—Delme Seymour Davies, Esq., Highmead.
Ernest Augustus Vaughan, Earl Vaughan Lisburne,
Crosswood.
Abraham Gray Harford Battersby, Esq., Peterwell.

Denbighshire—Thomas Hughes, Esq., Astrad Hall, Denbigh.
Francis James Hughes, Esq., Acton House, Wrex-
ham.
Pierce Wynne Yorke, Esq., Dryffryn Aled.

Flintshire—Wilson Jones, Esq., Hartaheath Park.
Arthur Trevor Viscount Dungannon, Brynkinalt.
Henry Potts, Esq., Glan-r-afow.

Glamorganshire—Sir George Tyler, Knt., Cottrel.
Gervas Turbervill, Esq., Ewenny Abbey, near
Bridgend.
Griffith Llewellyn, Esq., Baglan Hall.

Montgomeryshire—Charles Jones, Esq., Garthmill.
John Naylor, Esq., Leighton Hall.
Thomas Brown Brown, Esq., Mellington Hall.

Merionethshire—Henry Richardson, Esq., Aberhirnant.
The Right Hon. Spencer Bulkeley, Lord Newbo-
rough, Gilligrain.
George Casson, Esq., Blaenddala.

Pembrokeshire—John Harcourt Powell, Esq., Hook.
William Garrick Bridges Protheroe, Esq., Dole-
willim.
Thomas Lloyd, Esq., Glanarvon.

Radnorshire—Francis Aspinall Phillips, Esq., Abbeycurmkir.
Sir Harford James Jones Brydges, Bart., Boule-
brook.
Jonathan Field, Esq., Eakwdrainllwyn.

London Gazette.

TUESDAY, NOVEMBER 12.

BANKRUPTS.

GEORGE STILWELL JENKS, King-street, Hammer-
smith, Middlesex, cheesemonger, (trading under the style or
firm of Jenks & Co.), Nov. 19 at half-past 12, and Dec. 19
at 11, Court of Bankruptcy, London : Off. Ass. Johnson ;
Sol. Smith, Barnard's-inn.—Petition dated Nov. 7.

WILLIAM TREGO, Coleman-street, London, builder, Nov.
25 at half-past 11, and Dec. 24 at 12, Court of Bankruptcy,
London : Off. Ass. Edwards ; Sols. Walters & Son, 36,
Basinghall-street ; J. and W. Sheffield, 68, Old Broad-st.
—Petition filed Nov. 8.

JOHN LIPTROTT FINDLEY the younger, Birmingham,
tailor and clothier, dealer and chapman, Nov. 26 and Dec.
17 at 12, District Court of Bankruptcy, Birmingham : Off.
Ass. Whitmore ; Sol. Sackling, Birmingham.—Petition
dated Nov. 6.

ROBERT STORR, Corby, Lincolnshire, Nov. 29 and Jan.
10 at 10, District Court of Bankruptcy, Nottingham :
Off. Ass. Bittleston ; Sol. Thompson, Grantham.—Petition
dated Oct. 23.

HENRY HIGGINS, Bilston, Staffordshire, grocer and pro-
vision dealer, Nov. 23 at half-past 10, and Jan. 6 at
11, District Court of Bankruptcy, Birmingham : Off. Ass.
Christie ; Sols. Mottram & Co., Birmingham.—Petition
dated Nov. 9.

SILVANUS VICK, Brecon, victualler, Nov. 26 and Dec.
24 at 11, District Court of Bankruptcy, Bristol : Off. Ass.
Miller ; Sols. Hill, Worcester ; Abbot & Lucas, Bristol.—
Petition filed Oct. 23.

THOMAS BROWN, Preston, Lancashire, draper, Nov. 22 and Dec. 13 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Bell, Manchester.—Petition filed Nov. 1.

WILLIAM SIMPSON, Manchester, starch manufacturer, (lately carrying on business with Edmund Chadwick, under the firm of William Simpson & Co.), Nov. 26 and Dec. 17 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Atkinson & Co., Manchester.—Petition filed Nov. 4.

WILLIAM HARRISON, Tynemouth, Northumberland, merchant, (trading under the style or firm of William Harrison & Co.), Nov. 21 at 11, and Dec. 20 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Griffith & Creighton, Newcastle-upon-Tyne.—Petition filed Nov. 7.

MEETINGS.

Joseph Clementson, Whitehaven, Cumberland, tobaccoist, Dec. 3 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, pr. d.—*Robert Lavers*, Southampton, grocer, Dec. 3 at 11, Court of Bankruptcy, London, last ex.—*A. E. Corvan*, Hampstead-road and Lisson-grove, Middlesex, baker, Nov. 23 at 11, Court of Bankruptcy, London, last ex.—*J. Taylor*, Rochdale, Lancashire, cotton spinner, Nov. 26 at 11, District Court of Bankruptcy, Manchester, last ex.—*Richard Gadsden*, Boughton-mills, Northamptonshire, miller, Nov. 27 at 1, Court of Bankruptcy, London, aud. ac.—*Henry Wilkins*, High-street, Kensington, Middlesex, draper, Dec. 3 at 12, Court of Bankruptcy, London, aud. ac.—*Henry W. Farrer*, Old Fish-street, London, wine merchant, Dec. 2 at 1, Court of Bankruptcy, London, aud. ac.; Dec. 5 at 2, div.—*Thomas Sneezum*, Rupert-street, Coventry-street, Middlesex, builder, Nov. 23 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Tanner* and *John Ward*, Leadenhall-place and Leadenhall-market, London, leather factors, Nov. 23 at 1, Court of Bankruptcy, London, aud. ac.—*Robert Wright* the younger, and *Joseph Clarke*, Liquorpond-street, Middlesex, builders, Nov. 23 at 12, Court of Bankruptcy, London, aud. ac.—*J. Spicer*, Barking, Essex, blacksmith, Nov. 23 at 1, Court of Bankruptcy, London, aud. ac.—*Henry Spiller*, St. John's-wood-terrace, St. John's-wood, St. Marylebone, Middlesex, slater, Nov. 23 at half-past 12, Court of Bankruptcy, London, aud. ac.—*John Williams* and *W. E. Rust*, Strand, Middlesex, booksellers, Nov. 23 at 1, Court of Bankruptcy, London, aud. ac.—*John Taylor*, High-street, Shadwell, and *Salmon's-lane*, Limehouse, Middlesex, cheesemonger, Nov. 23 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Edward Steward*, Boughton, Norfolk, corn merchant, Nov. 23 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Richard Stone*, New Oxford-st., Middlesex, tallow chandler, Nov. 23 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Gasper Weiss*, Liverpool, music seller, Nov. 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Jules G. Geyelin*, Liverpool, zinc worker, Nov. 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry Clarke*, Liverpool, merchant, Nov. 22 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Benj. Wright*, Liverpool, ship broker, Nov. 20 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Jos. Kirkland*, Stockport, Cheshire, joiner, Dec. 3 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 10 at 12, div.—*Jas. Burt* and *Jas. Burt* the younger, Manchester, and *Wm. Tottie Watson*, Leeds, Yorkshire, commission agents, Dec. 2 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 9 at 12, div.—*John Bonifas* the younger, Dorchester, Dorsetshire, woollendrapery, Nov. 26 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Dec. 11 at 11, div.—*John Tucker*, Tavistock and Plymouth, Devonshire, attorney, Dec. 4 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Thos. Luckes*, Exeter, provision dealer, Nov. 26 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Wm. Richards*, Devonport, Devonshire, printer, Dec. 5 at 11, District Court of Bankruptcy, Exeter, aud. ac. and div.—*Summerland Staniford*, Plymouth, Devonshire, innkeeper, Dec. 5 at 11, District Court of Bankruptcy, Exeter, aud. ac. and div.—*William Weekes*, Inwardleigh, Devonshire, edge-tool maker, Dec. 11 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Dec. 18 at 11, div.—*Geo. Shephard*, Modbury, Devonshire, linendrapery, Nov. 26 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Dec. 11 at 11, div.—*Marius Merentie*, King William-st., London, merchant, Dec. 3 at 1,

Court of Bankruptcy, London, div.—*Hen. Scholefield*, Care, Suffolk, chemist, Dec. 3 at half-past 12, Court of Bankruptcy, London, div.—*Wm. Fredk. Fenton*, West Smithfield, London, lead merchant, Dec. 6 at 1, Court of Bankruptcy, London, div.—*John Pritchard Graves*, Mortimer-street, Cavendish-square, Middlesex, auctioneer, Dec. 6 at half-past 11, Court of Bankruptcy, London, div.—*John Pestell*, Beaton, Sandy, Bedfordshire, corn factor, Dec. 6 at 11, Court of Bankruptcy, London, div.—*John Sanders*, Manor-place, King's-road, Chelsea, Middlesex, baker, Dec. 3 at half-past 11, Court of Bankruptcy, London, fin. div.—*James Joyce*, Warwick-lane, London, corn dealer, Dec. 3 at 11, Court of Bankruptcy, London, div.—*Augustus Portway*, Braintree, Essex, tea dealer, Dec. 3 at 11, Court of Bankruptcy, London, fin. div.—*Jos. Turner*, Eastbourne, Sussex, draper, Dec. 10 at 12, Court of Bankruptcy, London, div.—*Thos. Flood*, Exeter, banker, Dec. 4 at 11, District Court of Bankruptcy, Exeter, div.—*W. J. Bebell*, Gloucester, ship builder, Dec. 5 at half-past 11, District Court of Bankruptcy, Bristol, fin. div.—*John Lester*, Pen-y-gelle Lodge, near Wrexham, Denbighshire, farmer, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. Kaye*, Liverpool, paper dealer, Dec. 6 at 11, District Court of Bankruptcy, Liverpool, div.—*Thos. Wheeler*, Liverpool, fruit merchant, Dec. 6 at 11, District Court of Bankruptcy, Liverpool, div.—*Robert Davies Evans* and *David Meredith Evans*, Wrexham, Denbighshire, drapers, Dec. 5 at 1, District Court of Bankruptcy, Liverpool, div.—*Samuel Glenney*, Liverpool, corn merchant, Dec. 6 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Joseph Turner, Eastbourne, Sussex, draper, Dec. 3 at 11, Court of Bankruptcy, London.—*Thomas Fielding*, Rhyl, Flintshire, hotel keeper, Dec. 5 at 11, District Court of Bankruptcy, Liverpool.—*John Meredith*, Tattenhall, Cheshire, maltster, Dec. 5 at 11, District Court of Bankruptcy, Liverpool.—*Thomas Wilson*, Hill-top, near West Bromwich, Staffordshire, iron manufacturer, Dec. 5 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Samuel S. Woollatt, Holborn-hill, London, draper.—*D. Mallett*, College-street, Belvedere-road, Lambeth, Surrey, lighterman.—*Lazarus Congdon*, Spring-st., Paddington, Middlesex, painter.—*Richard Dean*, Church-street, Trinity-sq., Southwark, Surrey, builder.—*Charles Garlick*, Charterhouse-square, Middlesex, woollen warehouseman.—*Isaac Hara*, Islington, Middlesex, waterproof cover and tarpauling manufacturer.—*Fredk. Saldorf*, Plymouth, Devonshire, merchant.—*John King*, East Stonehouse, Devonshire, builder.—*John Lewtas*, Manchester, cabinet maker.—*John Hartley*, Bury, Lancashire, machine maker.—*Patrick A. Black* and *John Whittingham*, Liverpool, provision brokers.—*Henry James Hinsman*, Bury, Lancashire, apothecary.

FIAT ANNULLED.

George P. Hill, Fleet-st., London, common carrier.

SCOTCH SEQUESTRATION.

Alexander Brown, Old Monkland, Lanarkshire, spirit dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Bugg, Bottle-end, Stanway, Essex, jobber, Nov. 18 at 12, County Court of Essex, at Colchester.—*Samuel Harvey*, Stanway, Essex, out of business, Nov. 18 at 12, County Court of Essex, at Colchester.—*John Mansfield*, Nailsea, Somersetshire, shoemaker, Jan. 8 at 11, County Court of Gloucestershire, at Bristol.—*Frederick C. Miles*, Bristol, auctioneer, Jan. 8 at 11, County Court of Gloucestershire, at Bristol.—*Joseph B. Williams*, Bristol, attorney-at-law, Jan. 8 at 11, County Court of Gloucestershire, at Bristol.—*J. Bradshaw*, St. Mary, Southampton, tailor, Nov. 23 at 10, County Court of Hampshire, at Southampton.—*Jos. Onions*, West Orchard, Coventry, Warwickshire, rope manufacturer, Nov. 28 at 10, County Court of Warwickshire, at Coventry.—*John Nichols*, Cambridge, bookseller, Nov. 23 at 10, County Court of Cambridgeshire, at Cambridge.—*Samuel Worcester*, Coventry,

Warwickshire, warehouseman, Nov. 28 at 2, County Court of Warwickshire, at Coventry.—*W. Wade*, Liverpool, plumber, Nov. 18 at 10, County Court of Lancashire, at Liverpool.—*Sam S. Crispin*, Liverpool, shoemaker, Nov. 18 at 10, County Court of Lancashire, at Liverpool.—*Samuel Gough*, Liverpool, bricklayer, Nov. 18 at 10, County Court of Lancashire, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 26 at 11, before Mr. Commissioner HARRIS.

William T. C. Tredall, Wenlock-street, New North-road, Loxton, Middlesex, parish clerk.—*Wm. Baber*, Montagu-pl., Kentish-town, Middlesex, appraiser.

Nov. 27 at 11, before the CHIEF COMMISSIONER.

Wm. Benfield, Bankside, Southwark, Surrey, licensed victualler.—*Charles T. Upcott*, Threadneedle-street, London, out of business.—*W. F. Ladd*, Whitechapel-road, Middlesex, tailor.—*Frederick Lancaster*, High-st., Wapping, Middlesex, carpenter.—*John Moore*, Willow-place, Hackney, Middlesex, saddman.—*Richard Thos. Skiel*, Camden-terrace, Camden-town, Middlesex, surveyor of the presses in the Royal Mint, Tower-hill.—*Henry Hook*, Whitefriars-st., Fleet-st., London, assistant to a licensed victualler, and Lee-st., Kingsland-road, Middlesex, glass dealer.—*Oron Roger M' Manus*, John's-row, St. Luke's, Middlesex, surgeon.—*John C. Bonus*, Wallington-treet, Wandsworth-road, Surrey, furnishing ironmonger.—*James Crabb*, Long-lane, Smithfield, London, colourman.

Nov. 27 at 10, before Mr. Commissioner LAW.

Richard Hughes, Cranmer-place, Waterloo-bridge-road, Surrey, musician.—*Thos. Transfield*, Windsor-st., Windsor-terrace, City-road, Middlesex, waiter at a tavern.—*George Littlefield*, Arthur-st., Trevor-sq., Knightsbridge, Middlesex, out of business.—*George R. Anderson*, Roslin-st., Hampstead, Middlesex, chemist.

Nov. 28 at 11, before the CHIEF COMMISSIONER.

Wm. Broad, Richard-street, Liverpool-road, Middlesex, lockmaker.—*George H. Wearing*, Turnpin-lane, Greenwich, Kent, glass dealer.—*Wm. Jackson*, Theobald's-road, Holborn, Middlesex, in no business.—*Manwaring Pitts*, Hercules-buildings, Westminster-road, Lambeth, Surrey, coach-body maker.

Saturday, Nov. 9.

The following Assignee has been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Edward Daniel, Liverpool, attorney's clerk, No. 72, 915 C.; George Saward, assignee.

Saturday, Nov. 9.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Joseph Piper, New-street-mews, New-street, Kennington-road, Surrey, milkman: in the Gaol of Surrey.—*Myer Myers*, Little St. Mary-axe, Houndsditch, Middlesex, general dealer: in the Debtors Prison for London and Middlesex.—*Saul Yates*, Castle-street, Houndsditch, London, attorney: in the Debtors Prison for London and Middlesex.—*Jacob Dudden*, Aldgate, London, Manchester warehouseman: in the Debtors Prison for London and Middlesex.—*William Ray*, Charlton-street, Homers-town, Middlesex, coal merchant: in the Queen's Prison.—*Charles Walter*, Prospect-place, Kingsland, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*William Cuming*, William-street, Hampstead-road, Middlesex, tob proprietor: in the Debtors Prison for London and Middlesex.—*William James Seymour*, Farringdon-street, London, censed victualler: in the Debtors Prison for London and Middlesex.—*James Bowden*, Ashton-under-Lyne, Lancashire, lumber: in the Gaol of Lancaster.—*Joseph Corbett*, Birmingham, builder: in the Gaol of Coventry.—*Samuel Hulley*, Ashton-under-Lyne, Lancashire, sub-contractor: in the Gaol of Lancaster.—*Richard Horton* the younger, Salford, Lancashire, plumber: in the Gaol of Lancaster.—*George Shaw*,

Denton, near Ashton-under-Lyne, Lancashire, superintendent of waterworks: in the Gaol of Lancaster.—*James Booth*, Pilkington, near Bury, Lancashire, licensed victualler: in the Gaol of Lancaster.—*John Cockcroft*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*James Dobson*, Rothwell, near Leeds, Yorkshire, collier: in the Gaol of York.—*Street-hill Foden*, Blackburn, Lancashire, joiner: in the Gaol of Lancaster.—*George Millard*, Brighton, Sussex, builder: in the Gaol of Lewes.—*John Tattersall*, Salford, Lancashire, grocer: in the Gaol of Lancaster.—*Arthur Kennedy*, Brighton, Sussex, carpenter: in the Gaol of Lewes.—*Thomas Plaisted*, Holyhead, Anglesey, blockmaker: in the Gaol of Beaumaris.—*Thomas Bird*, Sidbury, Worcestershire, butcher: in the Gaol of Worcester.—*Henry Bedwell*, Llandilo-fawr, Carmarthenshire, surgeon: in the Gaol of Carmarthen.—*Thomas Massey*, Kinton, Nescliffe, Shropshire, farm bailiff: in the Gaol of Shrewsbury.—*William Swadkin*, Warwick, out of business: in the Gaol of Warwick.—*Theodore Terrey*, Lyng, near Reepham, Norfolk, farmer: in the Gaol of Norwich.

(On Creditor's Petition).

William Ashcroft, Standish-with-Langtree, near Wigan, Lancashire, tailor: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 27 at 10, before Mr. Commissioner LAW.

Samuel Benjamin, New-street, Gravel-lane, Houndsditch, dealer in wine.—*Wm. Peter le Keux*, Eltham, Kent, smith.

Nov. 28 at 11, before the CHIEF COMMISSIONER.

Edmund Fullford the younger, Cook's-court, Carey-street, Lincoln's-inn-fields, Middlesex, foreman to a law stationer.

Nov. 28 at 11, before Mr. Commissioner PHILLIPS.

Clement Tudway, Montpelier-row, Twickenham, Middlesex, out of business.—*Richard Grove Erlam*, Westbourne-park-villas, Harrow-road, Middlesex, share dealer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Yorkshire, at YORK CASTLE, Nov. 23 at 10.

Manley Hitchon, Slead-hall, Hipperholme-cum-Brighouse, near Halifax, gentleman.—*John Walbank*, Keighley, wool-comber.—*Titus Taylor*, Golcar, near Huddersfield, clothier.—*Jonas Turner*, Bradford, auctioneer.—*Robt. Hobson*, Brig-gate, Leeds, brush manufacturer.—*William Johnson*, Paddock, near Huddersfield, stonemason.—*Martin Walsh*, York, out of business.—*Amos Smith*, Addingham, near Skipton, out of business.—*John Mitchell* the elder, Little Horton-lane, near Bradford, out of business.—*Thomas Nettleton*, Bowling, near Bradford, grocer.—*Ann Woodward*, North Auston, near Worksop, small shopkeeper.—*George Coulson* the elder, Scarborough, out of business.

At the County Court of Shropshire, at SHREWSBURY, Nov. 26 at 10.

Thomas Massey, Kinton, Nescliffe, farm bailiff.

At the County Court of Gloucestershire, at BRISTOL, Nov. 27 at 11.

Richard Smith, Bristol, out of business.

At the County Court of Warwickshire, at COVENTRY, Nov. 28.

Samuel Penn the elder, Aston, near Birmingham, shovel manufacturer.—*George Ingram*, Rugby, letter carrier.—*Joseph Corbett*, Birmingham, builder.

FRIDAY, NOVEMBER 15.

BANKRUPTS.

JOHN WHITE, Birmingham, hay and straw dealer, dealer and chapman, Dec. 2 and Jan. 6 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Suckling, Birmingham.—Petition dated Nov. 5.

WILLIAM RANDALL, Manchester, calico printer, agent, dealer and chapman, Nov. 30 and Dec. 19 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Burdett, Manchester.—Petition filed Nov. 11.

JOSEPH WATKINS, formerly of Tottenham-court-road, Middlesex, and Bampton, Oxfordshire, carrying on business in copartnership with James Richmond Smith; afterwards of Bampton alone; afterwards of Benville and Sherborne, Dorsetshire; afterwards of Clanfield and Northmoor, Oxfordshire, and now of Belmont-row, Vauxhall, Surrey, draper, butter merchant, dealer and chapman, Nov. 29 and Jan. 10 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Lawrence & Flews, 14, Old Jewry-chambers.—Petition dated Nov. 14.

WILLIAM FRANCIS HARRIS, Friday-street, Cheapside, London, Manchester warehouseman and commission agent, dealer and chapman, Nov. 27 at 12, and Dec. 20 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Teague, 5, Crown-court, Cheapside.—Petition filed Nov. 13.

WILLIAM CARTER, High-st., Southwark, Surrey, boot and shoe maker, dealer and chapman, Nov. 22 at 1, and Dec. 20 at half-past 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Messrs. Linklater, Charlotte-row, Mansion-house.—Petition filed Nov. 13.

GEORGE HAND, Wolverhampton, Staffordshire, grocer, tea dealer, dealer and chapman, Dec. 3 and 17 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham; Loveland & Tweed, 64, Lincoln's-inn-fields, London.—Petition dated Oct. 31.

JAMES AMOS, Coventry, Warwickshire, trimming manufacturer, Nov. 28 and Dec. 19 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Dewes & Son, Coventry; Motteram & Co., Birmingham.—Petition dated Nov. 7.

JOHN FREDERICK BRETT, Gateshead, Durham, tailor and draper, Nov. 27 at half-past 11, and Dec. 20 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. T. & W. Chater, Newcastle-upon-Tyne; Bell & Co., Bow-churchyard, London.—Petition filed Nov. 8.

MEETINGS.

John White the younger, Bishopwearmouth, Durham, iron-founder, Nov. 27 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, ch. ass.—*George Hoskins*, Preston, Lancashire, merchant, Nov. 27 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—*James P. Holyland*, Fore-street, London, warehouseman, Nov. 29 at 1, Court of Bankruptcy, London, last ex.—*Richard Wilson Jewison* and *Edw. Atkinson*, Charlotte-terrace, New-cut, Lambeth, Surrey, linendrapers, Dec. 19 at half-past 1, Court of Bankruptcy, London, aud. ac.—*George W. Tucker*, Tottenham-court-road, Middlesex, furrier, Dec. 10 at half-past 11, Court of Bankruptcy, London, aud. ac. and div.—*Wm. Mayer*, Bateman's-row, Shoreditch, Middlesex, timber merchant, Dec. 19 at 12, Court of Bankruptcy, London, aud. ac.—*Edmund Chadwick*, *Joseph Shaw*, and *Abraham Garstide*, Oldham, Lancashire, cotton spinners, Nov. 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Edward Palfrey Simmonds*, Redditch, Worcestershire, wine merchant, Dec. 9 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—*John King*, Liverpool, licensed victualler, Dec. 3 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Dec. 4 at 11, div.—*William Briddon*, Bootle, Liverpool, manufacturing chemist, Nov. 28 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Robert Davis Evans* and *David Meredith Evans*, Wrexham, Denbighshire, drapers, Nov. 28 at 1, District Court of Bankruptcy, Liverpool, aud. ac.—*John Dixon*, Liverpool, grocer, Nov. 28 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Goldie*, High-street, Whitechapel, Middlesex, distiller, Dec. 10 at 12, Court of Bankruptcy, London, div.—*Alexander Beattie* and *Francis Macnaghten*, Nicholas-lane, Lombard-street, London, merchants, Dec. 10 at 11, Court of Bankruptcy, London, div. sep. est. of *Francis Macnaghten*.—*William Norris*, Cambridge-villas, Great College-street, Camden New-town, Middlesex, builder, Dec. 3 at 11, Court of Bankruptcy, London, fin. div.—*Robert Swansborough*, Grimsby, Lincolnshire, and *Henry Oaks*, Ringwood, Southampton, warehousemen, Dec. 6 at half-past 1, Court of Bankruptcy, London, div.—*Thos. Day*, Three Crown-court, Southwark, Surrey, secretary to the Southwark Savings Bank, Dec. 7 at 11, Court of Bankruptcy, London, div.—*William Coppard Banks*, Lee, Kent, builder, Dec. 7 at 11, Court of Bankruptcy, London, div.—*Charles Farmer*, Edgeware-road, Middlesex, ironmonger, Dec. 7 at half-past 11, Court of Bankruptcy, London, div.—*Benjamin*

Lawrence, Crown-court, Old Broad-street, London, merchant, Dec. 7 at 12, Court of Bankruptcy, London, div.—*Alfred Allen Sutterby*, Stoke-ferry, Norfolk, grocer, Dec. 9 at 12, Court of Bankruptcy, London, div.—*James Seaber*, Newmarket, Cambridgeshire, scrivener, Dec. 7 at 12, Court of Bankruptcy, London, fin. div.—*John Wynn*, Charlotte-street, Blackfriars-road, Surrey, gas fitter, Dec. 9 at 11, Court of Bankruptcy, London, div.—*Decimus Field*, Frome, Somersetshire, linendraper, Dec. 13 at 11, District Court of Bankruptcy, Bristol, fin. div.—*Gasper Weiss*, Liverpool, music-seller, Dec. 4 at 11, District Court of Bankruptcy, Liverpool, div.—*Thomas Smith*, Liverpool, cheesemonger, Dec. 4 at 11, District Court of Bankruptcy, Liverpool, div.—*George Dawson*, Lancaster, merchant, Nov. 26 at 12, District Court of Bankruptcy, Manchester, div.—*William Smart Fox*, Nurborough, Leicestershire, miller, Dec. 9 at 11, District Court of Bankruptcy, Birmingham, div.—*Thos. Hardwick* and *Walter Hardwick*, Leeds, Yorkshire, auctioneers, Dec. 9 at 11, District Court of Bankruptcy, Leeds, fin. div. sep. est. of *Walter Hardwick*.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

George Little, Holborn-bars, London, and Commercial-place, Commercial-road, New Peckham, Surrey, maker of electrical apparatus, Dec. 10 at 12, Court of Bankruptcy, London.—*G. E. Baker*, Broadway, Deptford, Kent, grocer, and Union-row, High-street, Camberwell, Surrey, milliner, Dec. 6 at 12, Court of Bankruptcy, London.—*J. Donovan*, Oxford-st., Middlesex, fishmonger, Dec. 9 at 1, Court of Bankruptcy, London.—*J. V. Scantlebury*, Conduit-st. East, Paddington, Middlesex, carpenter, Dec. 6 at 1, Court of Bankruptcy, London.—*Alfred A. Satterby*, Stoke-ferry, Norfolk, grocer, Dec. 9 at 12, Court of Bankruptcy, London.—*John Clarke*, Bury, and Radcliffe, Lancashire, grocer, Dec. 10 at 11, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Jos. Wilbraham, Church-lane, Whitechapel, Middlesex, and Aldgate, London, builder.—*George Palmer*, Langmere, Norfolk, cattle dealer.—*Fred. Bennett*, Clapham-rise, Clapham, Surrey, soda water manufacturer.—*J. G. Peasegood*, Sheffield, Yorkshire, draper.—*Edward M'Leod*, Haberdasher-street, Hoxton, Middlesex, common brewer.—*David Clement*, Nash, Glamorganshire, saddler.—*George Friend*, Kidderminster, Worcestershire, bookseller.—*James Ealey*, Boothroyd, Denbighshire, blanket manufacturer.—*Robert Knight*, Lancaster, tea dealer.—*G. A. Munro*, Fredericton, New Brunswick, merchant.

PARTNERSHIP DISSOLVED.

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INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Johnson, Burslem, Staffordshire, licensed victualler, Nov. 21 at 10, County Court of Staffordshire, at Hanley.—*Richard Penn*, Sudbury, Suffolk, grocer, Nov. 22 at 11, County Court of Suffolk, at Sudbury.—*Richard Bill*, Cheltenham, Gloucestershire, agent, Dec. 17 at 10, County Court of Gloucestershire, at Cheltenham.—*Edward Cheney*, Sibbertoft, Northamptonshire, shoemaker, Dec. 4 at 11, County Court of Leicestershire, at Market Harborough.—*Gee. P. Dunham*, Kingston-upon-Hull, licensed victualler, Dec. 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*I. Salmon*, Swansea, Glamorganshire, bacon factor, Nov. 18 at 10, County Court of Glamorganshire, at Swansea.—*Thomas Walters*, Hednesford, Staffordshire, farmer, Nov. 21 at 10, County Court of Staffordshire, at Hanley.—*Thomas Chert*, Rochdale, Lancashire, moulder, Dec. 5 at 12, County Court of Lancashire, at Rochdale.—*James Page*, Appleton, Aske-le-Walls, Northamptonshire, farmer, Nov. 28 at 2, County Court of Warwickshire, at Coventry.—*Joseph Butterworth*, Rochdale, Lancashire, coal dealer, Dec. 5 at 12, County Court of Lancashire, at Rochdale.—*Thomas Holmes*, Nottingham,

ham, hawker, Dec. 5 at 9, County Court of Nottinghamshire, at Nottingham.—*R. T. Thompson*, Spalding, Lincolnshire, publican, Dec. 4 at 12, County Court of Lincolnshire, at Spalding.—*Thomas Milner*, Nottingham, joiner, Dec. 5 at 9, County Court of Nottinghamshire, at Nottingham.—*John Sefton*, Pinchbeck, Lincolnshire, farmer, Dec. 4 at 12, County Court of Lincolnshire, at Spalding.—*Robert Kendrick*, Wilmore, Aston Cantlow, Warwickshire, pig dealer, Dec. 13 at 10, County Court of Warwickshire, at Alcester.—*Chas. Hoyes* the younger, Brant Broughton, near Newark, Lincolnshire, shoemaker, Dec. 6 at 12, County Court of Nottinghamshire, at Newark.—*Edward Webb*, Boughton Monchelsea, Kent, mariner, Dec. 3 at 12, County Court of Kent, at Maidstone.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 29 at 10, before Mr. Commissioner LAW.

John Robt. R. Downie, Johnson-street, Westminster, Middlesex, hackneyman.

Nov. 30 at 11, before Mr. Commissioner PHILLIPS.

James Howe, Clifton-grove, Asylum-road, Old Kent-road, Surrey, in no trade.—*George Rogers*, Brighton-terrace, Brixton-road, Surrey, doctor of medicine.—*Geo. Beavis*, Upper Whitecross-st., Middlesex, cheesemonger.—*Thomas Fairland*, Aberdeen-place, Edgeware-rd., Middlesex, lithographic artist.—*Joshua Mayston*, St. George's-road, Shepherd's-bush, Middlesex, classical tutor.

Dec. 2 at 10, before Mr. Commissioner LAW.

Jas. Tappin, Brentford, Middlesex, lighterman.—*Jas. Dawson*, Richmond-grove, Richmond-road, Barnsbury-rd., Islington, Middlesex, solicitor's clerk.—*James Burton*, Charlotte-st., Manchester-square, Middlesex, fancy cabinet maker.

Dec. 2 at 11, before Mr. Commissioner PHILLIPS.

Edward Mansfield Marks the elder, Blenheim-terrace, St. John's-wood, Middlesex, grocer.—*Wm. Jas. Hill*, Warwick-place, Kingsland-road, Middlesex, draper.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 28 at 11, before Mr. Commissioner PHILLIPS.

Adjourned Case.

John Thomas Benett, Hemsworth-st., Hoxton Old-town, Middlesex, master mariner.

Nov. 29 at 10, before Mr. Commissioner LAW.

Joel Aley, Prospect-place, Old Brompton, Middlesex, greengrocer.—*Samuel Benjamin*, New-street, Gravel-lane, Houndsditch, London, cigar maker.—*John Paston* the elder, Uxbridge-road, Ealing, Middlesex, out of business.—*Saml Pates*, Castle-st., Houndsditch, London, attorney.

Nov. 30 at 11, before Mr. Commissioner PHILLIPS.

Joseph Wait, Duke-st., Portland-place, Marylebone, Middlesex, shoemaker.—*Benj. Hollingsworth*, Millman's-row, King's-road, Chelsea, Middlesex, omnibus proprietor.

Dec. 2 at 11, before the CHIEF COMMISSIONER.

George Tatham, Little Pulteney-st., Westminster, Middlesex, linendraper.—*Wm. Jas. Seymour*, Farringdon-st., London, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at EXETER, Nov. 30 at 10.

Wm. Campbell, Bramford Speke, railway clerk.

At the County Court of Sussex, at LEWES, Dec. 3.

George Millard, Brighton, builder.—*Arthur Kennedy*, Brighton, carpenter.

MEETING.

John Winck, Dunt Lane Farm, Hurst, Berkshire, farmer, Dec. 5 at 11, Riches & Woodbridge's, Uxbridge, sp. aff.

The Queen has been pleased to appoint Charles Mann, Esq., to be Crown Solicitor, and Henry Jickling, Esq., to be Master of the Supreme Court for the colony of South Australia.

MASTER IN CHANCERY.—The Lord Chancellor has appointed George Hayes Hinchliffe, Gent., of West Bromwich, to be a Master Extraordinary in the High Court of Chancery.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following Gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—*Frederick Pardoe*, of Bishop's Castle, in the county of Salop, in and for the said county of Salop; *Thomas Walker*, of Keswick, in the county of Cumberland, in and for the said county of Cumberland.

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Vice-Chancellor Wigram's Court	{ F. FISHER, Esq. of Lincoln's Inn, Barrister at Law.	Crown Cases Reserved..	{ ROBERT R. PEARCE, Esq. of Gray's Inn, Barrister at Law.

LONDON, NOVEMBER 23, 1850.

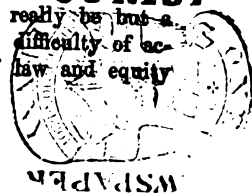
It cannot certainly be said that THE JURIST has ever been sluggish in the cause of law reform, and, in particular, of Chancery law reform; and if, therefore, we contend occasionally against the policy of any changes proposed or discussed, we are assured that our motives will not be misunderstood. A lecture has, it seems, been lately delivered by Mr. Field, a gentleman of the American Bar, at the Law Reform Society, in which he gave an account of the new system recently adopted in the State of New York, and adverted to that portion of it which consists in the abolition of courts of equity as such, and the amalgamation of courts of law and equity. We have already in these pages quoted and commented eulogistically upon much of the act of the New York Legislature to which Mr. Field refers, and we say, as we have already said, that there is much in it that might be usefully considered and made use of, if not in terms adopted, in England, in reforming our own procedure. When, therefore, we express dissent from the idea of amalgamating courts of equity and courts of law in this country, we do so, not at all assuming to say that the amalgamation may not be fitting and highly convenient in America; nor assuming to say that there is, *in principle*, anything in such amalgamation impossible or improper even for this country; but we think that in this country it would, at present at least, be inconvenient.

It is not to be denied that the differences between law and equity are not at all what the public in general supposes them to be; but though they are not the same differences, they are differences, perhaps, quite as considerable. When it is said that equity is a fixed system of law, which the judge administers with as much re-

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gard to rules and authorities as a judge of the common law, that is, no doubt, quite true; so, when it is said that equity differs from law principally, if not wholly, in its mode of procedure, its mode of trial, its mode of proof, its mode of relief, all this is also perfectly true; but if it be meant to conclude that the substantial difference resulting from the different mode of procedure is not of vast importance, that would be an exceedingly erroneous conclusion. Nor is it pretended by the advocates of amalgamation, that equitable modes of procedure and equitable relief should be abolished; what is urged is, that they should be transferred to all courts—in other words, that every court should be a court of equity and of law. Now, if all judicature, and all the traditions of judicature, in this country were abolished, and we had to begin *de novo* to found courts of justice, it is possible that it might be found better to make all courts, courts both of law and equity, than to attempt a division. But where, on the contrary, there is a completely settled system of courts of law, provided with all the official machinery adapted to the transaction of their peculiar business; and there is also a complete system of courts of equity, provided with corresponding official machinery—admitting, as it is admitted, that the nature of equity business is substantially different from that of common-law business; admitting that it cannot be wholly dispensed with in a complicated state of commercial society; admitting that, if different in its nature, it must require different machinery to transact it; where would be the convenience of abolishing courts of equity as such, and, in effect, transferring their business and the business of courts of law? The change would really be but a change of name, assuming that the difficulty of acquiring a concurrent knowledge of law and equity



could be successfully got over. But there still remains to be considered the question, whether, looking at the difficulty of any one man acquiring a competent knowledge of both systems, anischief instead of convenience would not result from an amalgamation. As it is, it is found sufficient for the power of most men's minds, to become thorough equity lawyers, or thorough common lawyers; and if the courts were amalgamated, one of two consequences would probably follow—either certain judges and certain counsel would gradually lean to and absorb the equity business, and certain others the common law, which would be in substance a return to the old system; or, if all attempted to devote themselves to business of both kinds, few, very few would become accurate lawyers, and the result would be a much more unsettled state of the law than exists at present.

It is idle to say that if law and equity were simplified, as they ought to be, there would be no difficulty in acquiring a sufficient knowledge of both. The forms of procedure may be simplified, and doubtless will be; but the simplicity or complication of a system of laws is the result of a corresponding state of society. The state of the people dictates the laws; and the law, as a whole, can never be so simple as to be easily acquired, so long as the state of society is complicated, and its proprietary and pecuniary transactions of infinite variety.

COURT OF COMMON PLEAS.

MICHAELMAS TERM.—14 VICTORIA.—Nov. 21, 1850.

This Court will, on Saturday, the 14th December next, hold a Sitting, and will proceed to give judgment in certain of the matters that will then be standing over for the consideration of the Court.

JOHN JERVIS.

COURT OF EXCHEQUER.

MICHAELMAS TERM.—14 VICTORIA.—Nov. 19, 1850.

This Court will hold sittings on Saturday the 30th November, and Monday the 2nd to Saturday the 7th December, both inclusive, and also on Monday the 16th December, and will at such sittings proceed in disposing of the business then pending in the paper of New Trials, and in the paper of Special Cases and Demurrers; also in giving judgment in all matters then standing for judgment.

FREDERICK POLLOCK.
J. PARKE.
E. H. ALDERSON.
T. J. PLATT.

Read in open Court—*E. Bennett.*

The Queen has been pleased to confer the honour of Knighthood upon Samuel Martin, Esq., one of the Barons of her Majesty's Court of Exchequer.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—Charles Beckington, of Newcastle-upon-Tyne; Robert Paterson, of Liverpool; John Orford the younger, of Ipswich, Suffolk.

OBSERVATIONS ON THE DEFECTS OF THE CHANCERY ORDERS OF APRIL, 1850.

A DISCUSSION took place in Vice-Chancellor Rolfe's Court on the 7th instant, in a case of *Marshall v. Davis*, suggesting some doubts, on the solution of which will depend whether the Chancery Orders of the 22nd April, 1850, are to be nearly a dead letter, or to effect substantial and extensive alterations in Chancery procedure.

The principle of these Orders is sufficiently good, but it is not half worked out in detail; nor are the details, so far as they are worked out, made sufficiently clear. Their first apparent great defect is the mode in which common claims have been divided from special claims, and the requirement that leave shall be obtained to file special claims. In practice, in giving leave, the Court relies upon the statement of counsel as to the general nature of the claim; nor could it be otherwise; for to suppose, as the Orders apparently do, that the Court is to read every special claim, is to suppose that the Court is to become equity draftsman to every claimant—a task which would pass the patience and powers of exertion of any Vice-Chancellor. In practice, therefore, the Court and the suitors get no more by the application for leave, than they would by the mere fact of the claim being settled by counsel. The proper course would be to give liberty to a plaintiff to file a claim in *any* case *without any leave*, requiring only that every claim should be signed by counsel. That would be sufficient to provide the only thing for which the leave is of use, viz. that the Court shall have a guarantee that its records shall not be incumbered with impertinent or improper matter. The retention of the particular forms prescribed in Schedule (A.) of the Orders, not as invariable forms, but as models, is not objectionable with reference to the cases enumerated in Order I. It is suggested, therefore, that the Orders should prescribe, that any person seeking equitable relief may in *any* case, instead of proceeding by bill of complaint in the usual form, file a claim*, such claim to be, in all cases, signed by counsel; and that, in the particular cases enumerated in Order I, the forms prescribed, or forms as near thereto as circumstances would admit, should be used.

The next fault of the New Orders is, that they do not with sufficient explicitness declare what is to be the force and effect of a claim. A claim is, or at any rate ought to be, the complete substitute for a bill, (so far as its structure makes that possible); it is or ought to be the complete institution of a suit; and every relief which can be obtained in a cause instituted by bill, such as an injunction, a receiver, production of documents, &c., ought to be obtainable upon a claim—that is, if claims are intended to be of any material public use. The Orders, as they stand, leave it in doubt whe-

* It may be observed, that in these remarks the writer is suggesting rather that which he conceives may possibly be obtained, than that which he considers most complete. It appears to him that the rule of the Orders should be just reversed; the proceeding by claim, without leave, should be the regular and compulsory mode of proceeding, and a bill should require leave on a special case shown for it. This assumes, of course, the claim system to undergo very extensive revision.

her a claim, either for a special injunction, or for an injunction to stay proceedings at law, can be sustained; and the better opinion is thought to be, that it cannot be sustained for either. On such a point the Orders ought to be altered.

Again, not only they do not shew clearly how production of documents, or payment of money in the hands of an executor or trustee, is to be obtained, but they leave it in the utmost doubt whether any such relief is intended to be obtained at all; and this in a system of procedure professedly designed, according to the 1st Order, for obtaining the complete administration, and of course the protection, of estates in the hands of executors and trustees.

The next defect of the Orders is their great obscurity as to the modes in which a defence is to be made; in which discovery from a defendant is to be obtained; and as to the sort of evidence on which a cause is to be heard. On these points the Orders contain nothing except what is to be found in the 12th and 13th Orders, explained, if explained they can be said to be, by the 9th. The 9th saves the general practice of the Court, so far as it is not abolished, and may therefore be thought to give to the Court power to blend the old practice with the new. The 12th Order directs that a defendant is to shew cause, if he can, and if necessary, by affidavit; and the 13th is so wide in its language, that it in effect amounts to saying that the Court may, at the hearing, do anything; but as, of course, that means anything it has power to do, and as of course also that must refer to what it has power to do within the meaning of the Orders, and as the Orders are most diplomatically obscure as to what is intended to be embraced by the claim system, the result is, that the Profession is left as completely in the dark as to how a cause instituted by claim is to be dealt with, if any real contest or difficulty arises, as if no such Orders as the 12th and 13th existed.

Now, as to the mode in which a defence is to be made, the Orders seem to require (and in practice they have been so construed) no statement at all of his case to be made by a defendant, unless he puts in an affidavit; the result of which would seem to be, either, that while the plaintiff will be confined to the case made by his claim, the defendant may ramble into all manner of matter; or that the evidence on the hearing of a cause may branch out on both sides into as much of relevant matter, not put in issue by any statement, as is usual on an ordinary motion.

This seems highly inconvenient: if a plaintiff is to state only the heads of his case, and to confine his evidence to the support of his stated case, and the defendant is to be at liberty to file affidavits de omnibus rebus et quibusdam aliis, there will be great injustice. If the hearing of a claim cause (and the motion for a decree, set by the shewing of cause, is clearly, in substance, the hearing of a cause) is to be conducted like a motion under the old practice, with liberty to each side to file affidavits without stint, till both parties are thoroughly tired, then truly there will not be, under the claim system, much saving of expense, but there will be great loss of accuracy, and diminished power of arriving at the truth. The principle of the new system is, it is apprehended, simply to substitute in pleading a statement of the heads of a case, referring only, in general, to documentary evidence, for the old plan of setting out the specific items of fact, and the documents intended to be proved. But it never could have been, at any rate never ought to have been, intended to abolish the wholesome rule of all pleading, that each party should know, before collecting his proofs, what the grounds of claim on which his adversary means to rely, and which he means to prove. The Orders are, therefore, it is conceived, defective, in not directing that defendant shall state his case as well as a plaintiff.

Then, as to the sort of evidence on which claim causes are to be decided, doubts were thrown out in the case of *Marshall v. Davis*, from the Bench, as well as by eminent counsel, whether the Orders could have intended a cause, involving any material, contested, and complicated state of facts, to be heard on affidavit. Certainly the Orders do explicitly include cases, as fit for common claims even, in which materially complicated states of facts may, and constantly do, arise. It would be a monstrous construction of the Orders, for instance, which should say, that art. 9 of Order I was intended only for an account of a partnership where there were no disputed facts, or that art. 8 refers only to cases where nothing is in dispute but the title. Certainly, also, the Orders do not point out explicitly whether evidence is to be taken in any other way than by affidavit. They could hardly, however, have intended that parties should be limited to the use of a species of evidence not only notoriously defective in itself, but involving these two disabilities—disability of cross-examination, and disability to compel the attendance of witnesses. Unless, however, it is to be found in the 13th Order, the Orders certainly do not provide machinery for examining witnesses before the hearing, otherwise than by affidavit. It may, indeed, be thought, that, upon the true construction of the 13th Order, the Court may, when the cause comes on, on the application of either party, or of its own authority, direct that witnesses shall be examined in the usual way, as if the cause had been instituted by bill and answer, and replication had been filed; and may give leave, if leave be necessary, to the parties to issue subpoenas to compel the attendance of witnesses. But the writer is well aware that many experienced practitioners do not acquiesce in this view; at any rate, no decision on the point has been yet judicially pronounced; nor is it possible to say that the 13th Order explicitly gives any such power.

It is manifest, however, that if claims are intended to be fit for cases of any complication or contest, machinery for the examination of witnesses on interrogatories, in the usual way, must be provided; and the Orders ought to be revised accordingly.

Again, with regard to discovery from the defendant, a claim may be filed on the faith that the facts in defence are few, and that the plaintiff is in possession of evidence to rebut them. When the defendant shews cause, it may appear, contrary to expectation, that discovery from him is necessary. Do the Orders provide for obtaining such discovery or not? On this point there is no decision. And again, the 13th Order is so wide and so vague, that it is utterly impossible to have any confident opinion on the point. It may be thought that the Court may, under such circumstances, give liberty to amend the claim, for the purpose of inserting in it specific allegations, and leave to exhibit interrogatories, founded on such allegations, to obtain discovery from the defendant. But this is pure conjecture. The Orders ought on this point also to be revised, and to give clear powers to examine a defendant, (as he may now be examined by bill), if they are meant to be applicable to any case where a deficiency of evidence can be anticipated.

To recapitulate briefly the suggestions that the writer would venture to make for alteration of the Orders.

1. No leave should be required to file a claim, but every claim should be signed by counsel; and the forms in Schedule (A.) should be distinctly given merely as models, not prescribed as forms.

2. A defendant not submitting or demurring should, within some given time from the service of the summons, (say ten days), file a counter claim, either denying the whole or part of the plaintiff's statement, or, in addition, stating any rebutting matter on which he relies. So much as he does not deny, he should be

taken to admit; and he should be as much confined in his evidence to matters put in issue by his counter claim as the plaintiff is now, to that put in issue by his claim.

3. The Orders ought distinctly to give power to move for preliminary orders of all the kinds that are obtainable upon bills, and ought to provide for obtaining discovery from the defendant, in the nature of an answer to particular interrogatories, both for the general purposes of the hearing, and for the purpose of such motions as, under the old practice, must be founded on admissions in the answer. In other words, the Orders abolishing interrogatories and answers, as a general practice, ought still to leave power to obtain a partial answer for particular purposes. Any abuse of such a power would easily be checked by the discretion of the Court as to costs.

4. They should also distinctly give powers to the Court to provide for taking evidence on interrogatories, before the hearing, in the usual way; and seeing that we are in an age of innovation, it might be thought a very convenient opportunity for trying the experiment of giving to the Court power to direct, if it thinks fit, witnesses to be brought into court at the hearing, and examined *vivâ voce*. There can be no doubt that many very expensive issues are rendered necessary, simply because of the inability of a judge in equity to examine one or two witnesses *vivâ voce*.

Correspondence.

TO THE EDITOR OF "THE JURIST."

Inland Revenue Office, Somerset House,
Nov. 18, 1850.

SIR,—It was my intention not to occupy any further portion of your time or space upon the question of stamp-duties, in controversy in recent numbers of *THE JURIST*; indeed, I had flatteringly deceived myself into a belief that your acquiescence in my view upon the point would have rendered it unnecessary; but I am disappointed; and as you have gone somewhat deeply into the matter, and expressed your adherence to the opinion you had previously expressed, giving your reasons for so doing, it might possibly be supposed that I had abandoned my view of the question if I remained altogether silent. It would probably, in a measure, tend to establish confidence in your opinion, if I were to confess any want of ability on my part to comprehend your arguments. I do own, however, although at the risk of an imputation which it might not be altogether agreeable to hear, some little deficiency in that way. I might, if my observations had reference to an advocate, be, perhaps, induced to say that he had striven hard to get up an argument for perverting the plain meaning of an act of Parliament; but as I cannot conceive an object on your part, other than the arrival at the true construction of the enactment, I do not feel justified in applying such a remark to your reasoning; at the same time I must observe, that I think it strained to support a misconceived view of the intention of the Legislature, and altogether inapplicable to the terms in which the meaning is expressed. I entertain myself no more doubt upon the subject than of the sufficiency of the enactment to effect it; and, for the reasons stated in my former letter, I adhere to the view I at first took of the question.

I am, Sir,

Your obedient servant,

HUGH THIRLEY.

COUNTY COURT FEES.

The following Table of Fees to be taken in the County Courts established by the stat. 9 & 10 Vict. c. 95, on and after the 25th November, 1850, appeared in the London Gazette of Tuesday last:—

In cases within the ordinary jurisdiction of the courts, the under-mentioned poundage and fees are to be taken; but where the sum demanded is above twenty pounds, the poundage is to be taken on twenty pounds only. All fractions of a pound, for the purpose of calculating the poundage, shall be treated as an entire pound.

For every summons; sevenpence in the pound on the amount of the demand.

For every application for a summons out of the district; threepence in the pound on the amount of the demand. This sum to include every fee for such application.

Notice.—No other fee whatever is to be taken on the entry of a plaint, except for service by the high bailiff, and for affidavit of service out of the district.

For every hearing without a jury; twenty-six pence in the pound on the amount of the demand.

For every hearing with a jury; thirty-eight pence in the pound on the amount of the demand.

Judgments by consent, under the stat. 13 & 14 Vict. c. 61, ss. 8, 9, and judgments upon applications in the nature of *sci. fa.*, to be charged the same fee as on the hearing of a cause without a jury.

Notice.—No other fee whatever is to be taken for the hearing or trial of a cause, except for the service of the order by the high bailiff.

For every subpoena, (each witness); two shillings, without reference to the amount of the demand.

For entering and giving notice of a special defence; eighteenpence, without reference to the amount of the demand.

For any adjournment of a cause or other matter to another court, at the request of either party; threepence in the pound on the amount of the demand.

For paying money into or out of court, whether before or after judgment, on each payment not exceeding ten shillings; one penny: and on each payment above ten shillings; twopence in the pound on the amount of the payment.

For notice to be given, by prepaid post letter, to plaintiff, of every payment whatever made into court; twopence, without reference to the amount of the payment. Out of this fee the postage of such letter is to be paid by the clerk.

For issuing any warrant, attachment, or execution; twopence in the pound on the amount for which such warrant, attachment, or execution issues.

For taking recognisance, bond, or security for costs; fourpence in the pound on the amount of the demand.

For inquiry into sufficiency of sureties; sixpence in the pound on the amount of the demand.

For application for new trial, or to set aside proceedings; sixpence in the pound on the amount of the demand.

For every summons for commitment, under the stat. 9 & 10 Vict. c. 95, s. 98; sixpence in the pound on the amount of the original demand then remaining due.

For every hearing of the matters mentioned in such summons for commitment; one shilling in the pound on the amount last aforesaid.

Notice.—No other fees than the above to be taken on any account whatever, except the high bailiff's fees for service. No application to the court is to be charged with a fee, except those above mentioned. No increase of fees shall be made by reason of there being more than one plaintiff or defendant.

HIGH BAILIFF'S FEES.

For serving every summons, order, or subpoena, within two miles of the court-house; one penny in the pound on the amount of the demand, except for the service of a summons under the stat. 9 & 10 Vict. c. 95, s. 98, when the poundage is to be calculated on the amount of the original demand then remaining due.

For such service, if beyond two miles, then extra for every additional mile; sixpence, without reference to the amount of the demand.

For affidavit of service of summons out of the jurisdiction; one shilling, without reference to the amount of the demand.

For execution of every warrant or attachment against the goods or body within two miles of the court-house; one shilling in the pound on the amount for which such warrant or attachment issues.

For such execution, if beyond two miles, then extra for every additional mile; sixpence, without reference to the amount for which such warrant or attachment issues.

For keeping possession of goods till sale, per day, (including expenses of removal, storage of goods, and all other expenses whatever), not exceeding five days; sixpence in the pound on the amount for which the execution issues. [This, however, does not apply to cases of interpleader, in which the costs and expenses of possession are in the discretion of the judge.]

For carrying every delinquent to prison, including all expenses and assistants; one shilling per mile, without reference to the amount mentioned in the warrant.

For issuing warrant to clerk of another court; two shillings and sixpence, without reference to the amount mentioned in the warrant.

Where the plaintiff recovers less than the amount of his claim, so as to reduce the scale of costs, the plaintiff to pay the difference.

The several fees payable on proceedings in replevin to be regulated on the above scale, by the amount distrained for; and on proceedings for the recovery of tenements, by the yearly rent or value of the tenement sought to be recovered; but in neither case to exceed the fees payable on a demand of twenty pounds.

In cases of extraordinary jurisdiction given to the court by the consent of parties to the trial of questions under the stat. 13 & 14 Vict. c. 61, s. 17, the poundage shall be taken in every such case on the sum of fifty pounds.

In cases of interpleader, the summons is to be issued to the high bailiff *gratis*, and the poundage for the hearing is to be estimated on the value of the goods claimed, which, in case of dispute, is to be assessed by the judge. The costs, however, of the summons, estimated on the above-mentioned value, shall be included in the general costs, which may, in the discretion of the judge, be awarded at the hearing.

Dated this 15th day of November, 1850.

G. GREY,
One of her Majesty's Principal Secretaries
of State.

W. GIBSON CRAIG,
H. RICH,
Commissioners of her Majesty's Treasury.

London Gazette.

TUESDAY, NOVEMBER 19.

BANKRUPTS.

ANN ELIZABETH HICKMAN, Cannon-street-road, St. George's-in-the-East, and MOSES JOHN HICKMAN, Princes-place, St. George's-in-the-East, Middlesex, undertakers, (carrying on business at those places under the firm of A. E. Hickman & Son), Dec. 6 at 12, and Jan. 14 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Keighley, 73, Basinghall-street, London.—Petition dated Nov. 18.

EDWARD BREWSTER, Hand-court, Upper Thames-street, London, printer, Nov. 28 at 1, and Dec. 26 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Sturmy & Simpson, 8, Wellington-street, London-bridge.—Petition dated Nov. 18.

WILLIAM NEGUS, Bagnigge-wells Tavern, Bagnigge-wells-road, Middlesex, victualler, Nov. 28 at half-past 11, and Dec. 26 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Dunmock & Burly, 2, Suffolk-lane, Cannon-street.—Petition dated Nov. 9.

JAMES BUTTFIELD, Newbury, Berkshire, grocer and tea dealer, dealer and chapman, Nov. 29 at 1, and Jan. 11 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson, (and not Pennell, as before advertised); Sols. Messrs. Linklater, 1, Charlotte-row, Mansion-house, London.—Petition dated Nov. 16.

THOMAS TUFFIELD, Hoxton Old-town, Middlesex, tallow-chandler, grocer, and oilman, Dec. 3 and 24 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Turnley, 16, Cornhill.—Petition filed Nov. 15.

WILLIAM BENNITT the younger, Langley-green, Worley Wigan, Worcestershire, brickmaker, dealer and chapman, Nov. 28 and Jan. 2 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Smith & James, Birmingham.—Petition dated Nov. 12.

JOSEPH SMITH, Liverpool, haberdasher, dealer and chapman, Dec. 2 and 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Sale & Co., Manchester; Reed & Langford, Friday-street, Cheapside.—Petition filed Nov. 13.

ABRAHAM CHADWICK, Burnedge, Rochdale, and Fairview, near Littleborough, Lancashire, cotton spinner and manufacturer, Dec. 12 and Jan. 3 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Atkinson & Co., Manchester.—Petition filed Nov. 12.

EDMUND CHADWICK, Manchester, starch manufacturer, (lately carrying on business with William Simpson, starch manufacturer, under the firm of William Simpson & Co.), Dec. 3 and Jan. 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Atkinson & Co., Manchester.—Petition filed Nov. 8.

MEETINGS.

Wm. Ward, Warnford-court, London, merchant, Dec. 6 at 12, Court of Bankruptcy, London, pr. d.—Charles Porter, Bocking, Essex, out of business, Dec. 6 at half-past 12, Court of Bankruptcy, London, last ex.—Benj. Cubitt Sieley, North Walsham, Norfolk, money scrivener, Nov. 30 at 11, Court of Bankruptcy, London, aud. ac.—N. Browne, Sibson-green, Hounslow-heath, Middlesex, licensed victualler, Nov. 30 at 11, Court of Bankruptcy, London, aud. ac.—John Snowball, Gateshead, Durham, builder, Dec. 13 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—William Reay, Walker, Northumberland, shipbuilder, Dec. 12 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Dec. 13 at half-past 10, fin. div.—Wm. Pile and John Pile, Monkwearmouth, Durham, shipbuilders, Dec. 10 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—Wm. Hymers, Gateshead, Durham, publican, Dec. 10 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—Thomas Dalton, Coventry, silk dyer, Dec. 12 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—Thos. Dalton and Thos. Edwards, Birmingham, ironfounders, Dec. 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—Miles Griffith and P. Pearson, New Bond-street, Middlesex, tailors, Dec. 16 at half-past 12, Court of Bankruptcy, London, div.—J. W. Cole, Great Winchester-street, London,

merchant, Dec. 13 at 11, Court of Bankruptcy, London, div.—*Benjamin Hart Thorold*, Harmston, Lincolnshire, and Harlesden-green, Willesden, Middlesex, dealer and chapman, Dec. 13 at 12, Court of Bankruptcy, London, div.—*George Gage Coldrey*, Lawrence-lane, London, merchant, Dec. 13 at 1, Court of Bankruptcy, London, div.—*Wm. Edward Houghton Guillaume*, Botley, Southampton, timber merchant, Dec. 13 at half-past 12, Court of Bankruptcy, London, div.—*John Cramond*, Lime-street, London, shipbroker, Dec. 13 at half-past 11, Court of Bankruptcy, London, div.—*William Humphreys*, Brighton, Sussex, wine merchant, Dec. 10 at half-past 12, Court of Bankruptcy, London, div.—*Watkin Williams*, Brecon, Brecknockshire, draper, Dec. 16 at 12, Court of Bankruptcy, London, div.—*Rich. Law*, Portland-row, Camberwell, Surrey, pawnbroker, Dec. 13 at 11, Court of Bankruptcy, London, div.—*Edward Round* and *William Round*, Tipton, Staffordshire, timber merchants, Dec. 16 at half-past 10, District Court of Bankruptcy, Birmingham, div.—*William Walford*, Wolverhampton, Staffordshire, common brewer, Dec. 12 at 12, District Court of Bankruptcy, Birmingham, div.—*John Rowlett*, Liverpool, merchant, Dec. 12 at 11, District Court of Bankruptcy, Liverpool, fin. div.—*Charles Dutton*, Tarvin, Cheshire, joiner, Dec. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*Patrick Adair Black* and *John Whittingham*, Liverpool, provision brokers, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, div.—*William Goldsack Williams*, Accrington, Lancashire, Dec. 10 at 12, District Court of Bankruptcy, Manchester, div.—*Rev. Andrew Keir*, North Cave, Yorkshire, wood merchant, Dec. 11 at 12, District Court of Bankruptcy, Kingston-upon-Hull, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Robert Webb, Great Russell-street, Covent-garden, Middlesex, dealer in ham, Dec. 12 at half-past 12, Court of Bankruptcy, London.—*John Bull*, South Audley-street, Middlesex, shipowner, Dec. 10 at 1, Court of Bankruptcy, London.—*Isaac Jessup*, Kingsdown, near Dartford, Kent, farmer, Dec. 10 at 11, Court of Bankruptcy, London.—*Frederick Vines*, Greenwich, Kent, and *Thomas Kitelee*, Chetham, Buckinghamshire, millers, Dec. 13 at 11, Court of Bankruptcy, London.—*Joseph Moore*, Hanover-street, Islington, Middlesex, victualler, Dec. 10 at 2, Court of Bankruptcy, London.—*John Stork*, Kingston-upon-Hull, wine merchant, Dec. 11 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*Ralph Dickenson*, Crook, Durham, grocer, Dec. 10 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Wm. Hymers*, Gateshead, Durham, publican, Dec. 10 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Hayward*, Healand, Oswestry, Shropshire, scrivener, Dec. 16 at half-past 10, District Court of Bankruptcy, Birmingham.—*Wm. Meadowcroft*, Rochdale, Lancashire, cotton spinner, Dec. 12 at 12, District Court of Bankruptcy, Manchester.—*William Henry de Wolf*, Liverpool, merchant, Dec. 10 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

James Hibble, Bishopsgate-street Without, London, colourman.—*Alexander Burn Callander*, Mincing-lane, London, corn factor.

SCOTCH SEQUESTRATIONS.

Gilbert Peat, Glasgow, grocer.—*Robt. Struthers*, Glasgow, cabinet maker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Hateley the younger, Birmingham, glass manufacturer, Dec. 7 at 11, County Court of Warwickshire, at Birmingham.—*Henry Sarsons*, Birmingham, glass manufacturer, Dec. 7 at 11, County Court of Warwickshire, at Birmingham.—*Francis Alden*, Brierley-hill, Staffordshire, out of business, Dec. 7 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Jeffries*, Aston Manor, Warwickshire, engraver, Nov. 23 at 11, County Court of Warwickshire, at Birmingham.—*John Ashlin Wilson*, Birmingham, auctioneer, Nov. 23 at 11, County Court of Warwickshire, at Birmingham.—*Henry Marriner*, Rochester, Kent, whitesmith, Dec. 5 at 10, County Court of Kent, at Rochester.—*John Jones Ellis*, Swaton,

Lincolnshire, clerk in holy orders, Nov. 26 at 2, County Court of Oxfordshire, at Oxford.—*John Murrable*, Rochester, Kent, carver, Dec. 5 at 10, County Court of Kent, at Rochester.—*Henry Thomas Biddell*, Chelmsford, Essex, bookseller, Dec. 5 at 12, County Court of Essex, at Chelmsford.—*George Albert*, Godden-green, Seal, near Sevenoaks, Kent, lieutenant and adjutant in the West Kent Yeomanry Cavalry, Dec. 11 at 10, County Court of Kent, at Sevenoaks.—*Thos. Seale*, Ramsgate, Kent, general-shop keeper, Nov. 23 at 10, County Court of Kent, at Ramsgate.—*Edward Langtree*, Manchester, auctioneer, Nov. 29 at 2, County Court of Lancashire, at Manchester.—*John Buck*, Wisbech High Fen, Isle of Ely, Cambridgeshire, blacksmith, Dec. 6 at 2, County Court of Cambridgeshire, at Wisbech.—*Charles Barker*, East Dereham, Norfolk, shoemaker, Dec. 4 at 9, County Court of Norfolk, at East Dereham.—*John Wilson*, Hulme, Lancashire, beer seller, Nov. 29 at 2, County Court of Lancashire, at Manchester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 4 at 11, before the CHIEF COMMISSIONER.

Henry Richard French the younger, Westerham-road, Bromley-common, Kent, labourer.—*Geo. Stein*, George-st., Minorities, City, merchant's clerk.—*Edward Farrow*, Brewood, Essex, plumber.

Dec. 5 at 11, before the CHIEF COMMISSIONER.

Edwin John Thomas Witherstone, Edgeware-road, Middlesex, shopman to a clothier.

Saturday, Nov. 16.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

George Coates Pickles, Leeds, Yorkshire, undertaker, No. 72,888 C.; *Robert Isott*, assignee.—*Robt. Slater*, York, out of business, No. 72,454 C.; *John Brigham*, assignee.—*Joseph Dickson*, Neath, Glamorganshire, travelling draper, No. 72,794 C.; *Matilda Russell Seaton*, assignee.—*George Patchett*, Salford, Lancashire, agent to the National Loan Life Assurance Company, No. 72,851 C.; *Rowland Jones*, assignee.—*Thomas Forbes*, Prestwick, near Manchester, plumber, No. 71,008 C.; *James Livingston*, assignee.

Saturday, Nov. 16.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Henry Charles Palmer, Stone's-end, Newington, Surrey, hat manufacturer: in the Queen's Prison.—*William Downing Bruce*, Bridge-st., Westminster, law student: in the Queen's Prison.—*The Rev. John Hobart Cammer*, Prittlewell, Essex, clerk: in the Queen's Prison.—*Richard Farrer*, Noble-street, Falcon-square, London, commission agent: in the Queen's Prison.—*George Anderson*, Gainford-st., Barnsbury, Middlesex, coal merchant: in the Queen's Prison.—*John Stely*, Charrington-st., Somers-town, Middlesex, commission agent for the sale of Scotch ale: in the Queen's Prison.—*George M. Mitchell*, Denby-place, Pimlico, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—*Richard Halliday*, Compton-st., Brunswick-square, Middlesex, general commission agent: in the Debtors Prison for London and Middlesex.—*John Wm. Dupere*, Crown-row, Walworth-road, Surrey, poulterer: in the Queen's Prison.—*Samuel Farley* the elder, Cripplegate, London, travelling grinder: in the Debtors Prison for London and Middlesex.—*Thos. William Brown*, Stoney-st., Borough, Southwark, Surrey, clerk in the General Register and Record-office of Seamen: in the Debtors Prison for London and Middlesex.—*Sarah Humphries*, Little Bell-alley, Coleman-st., London, housekeeper: in the Debtors Prison for London and Middlesex.—*Robert Lee*, Lancaster, wheelwright: in the Gaol of Lancaster.—*George Richards*, Birmingham, plumber: in the Gaol of Coventry.—*Joseph Atha*, Walton, near Wakefield, Yorkshire, farmer: in the Gaol of York.—*Mary Anna Barnes*, Axton, near Birkenhead, Cheshire, cigar dealer: in the Gaol of Chester.—*Christopher*

Edmondson, Addingham, near Skipton, Yorkshire, cotton manufacturer: in the Gaol of York.—*Wm. Smith*, Doncaster, Yorkshire, tea dealer: in the Gaol of York.—*Richard Wright*, Keighley, Yorkshire, topmaker: in the Gaol of York.—*Thos. Brocklehurst*, Heaton Norris, near Manchester, licensed victualler: in the Gaol of Lancaster.—*John Thompson Buckley*, Liverpool, lodging-house keeper: in the Gaol of Lancaster.—*John Frith*, Liverpool, butcher: in the Gaol of Lancaster.—*Edmund Lord*, Ardwick, Manchester, manager in a cotton factory: in the Gaol of Lancaster.—*John Beck*, Spalding, Lincolnshire, agricultural machine maker: in the Gaol of Lincoln.—*George Lambert*, Manningham, near Bradford, Yorkshire, publican: in the Gaol of York.—*Thomas B. Wade*, Birmingham, grocer's assistant: in the Gaol of Coventry.—*Francis Aikin*, Norwich, traveller to a tea dealer: in the Gaol of Norwich.—*Catherine Eames*, widow, Liverpool, out of business: in the Gaol of Lancaster.—*David Griffiths*, Liverpool, slater: in the Gaol of Lancaster.—*Thomas Johnston*, Stretford, near Manchester, out of business: in the Gaol of Lancaster.—*Robert Harding*, Staleybridge, Lancashire, chemist: in the Gaol of Lancaster.—*Edw. Harris*, Gravesend, Kent, grocer: in the Gaol of Maidstone.—*Michael M'Donnell*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*J. Mackey*, Liverpool, traveller to a porter dealer: in the Gaol of Lancaster.—*George Ollerenshaw*, Manchester, turncock: in the Gaol of Lancaster.—*Frederick Robertson*, Woolwich, Kent, manager to a woollendrapery: in the Gaol of Maidstone.—*Robert Richardson*, Milton-next-Gravesend, Kent, out of business: in the Gaol of Maidstone.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 4 at 10, before Mr. Commissioner LAW.

Rich. Leath, Chapel-st., Pentonville, Middlesex, grocer.—*George W. Wilkinson*, Lansdown-road, Notting-hill, Middlesex, assistant surgical instrument maker.

Dec. 5 at 11, before the CHIEF COMMISSIONER.

Thomas Robson, Murray-st., New North-road, Islington, Middlesex, commission agent.—*Myer Myers*, Little St. Mary Axe, Houndsditch, City, general dealer.—*Thomas Colin R. Campbell*, Victoria-grove West, Stoke Newington, Middlesex, clerk in the General Record and Register-office of Seamen, Admiralty department, Custom-house, London.

Dec. 5 at 11, before Mr. Commissioner PHILLIPS.

John Tildley, New-street, Fieldgate-street, Whitechapel, Middlesex, out of business.—*John Reardon*, Hibernia-cottage, William-st., Hart's-lane, Bethnal-green-road, Middlesex, chair maker.—*John Lambale*, Warren-st., Fitzroy-sq., Middlesex, lodging-house keeper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Essex, at CHELMSFORD, Dec. 5.

Henry Guy, Harwich, attorney-at-law.

At the County Court of Monmouthshire, at MONMOUTH, Dec. 13 at 2.

Richard White, Cwmcarvon, farmer.

At the County Court of Cornwall, at BODMIN, Dec. 4 at 10.

Moses Thomas Ancell, Torpoint, superannuated inspector of shipwrights in her Majesty's dockyard at Devonport.—*John Eddy*, St. Buryan, farmer.

At the County Court of Kent, at MAIDSTONE, Dec. 3.

Samuel Ward, Deptford, bricklayer.—*R. Richardson*, Milton-next-Gravesend, out of business.—*Edward Harris*, Gravesend, out of business.

FRIDAY, NOVEMBER 22.

BANKRUPTS.

RANCOIS FELIX VOUILLOIN, Princess-street, Hanover-square, Middlesex, court milliner, (trading under the firm of Vouillon & Laure), Dec. 6 at 11, and Jan. 10 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Parker, 18, St. Paul's-churchyard.—Petition dated Nov. 12.

WILLIAM KING, Gravesend, Kent, draper, dealer and chapman, Dec. 2 at 2, and Jan. 9 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Sole & Turner, Aldermanbury.—Petition dated Nov. 14.

EDWARD HEDGES, Chilton Foliat, Wiltshire, builder, Dec. 6 at 1, and Jan. 14 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Rowland & Son, Ramsbury, Wiltshire; Lewis, 6, Raymond-buildings, Gray's-inn.—Petition dated Nov. 18.

GEORGE AUGUSTUS CLARE, Mount-street, Grosvenor-square, Middlesex, house decorator, dealer and chapman, Dec. 4 and Jan. 10 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Cox, Pinner's-hall, Old Broad-street.—Petition filed Nov. 20.

WILLIAM BRADBURN, Shiffnal, late of Tong, Shropshire, corn dealer, dealer and chapman, Dec. 9 and Jan. 6 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Petition dated Nov. 20.

ROBERT MILES, Pontypridd, Glamorganshire, grocer and draper, dealer and chapman, Dec. 6 and Jan. 3 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. W. & C. Bevan, Bristol.—Petition filed Nov. 8.

ARTHUR BEARD, formerly of Liverpool and Bootle, Lancashire, wine and spirit merchant and brewer, (late carrying on business with William Miller and Alexander Miller, under the firm of William Miller & Son), but at present residing at Colne Engain, Essex, Nov. 29 and Dec. 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Cooper & Son, Manchester; Dodge, Liverpool; Gregory & Co., 1, Bedford-row, London.—Petition filed Nov. 6.

ROBERT GIBSON, York, ironmonger, dealer and chapman, Dec. 19 and Jan. 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Barr & Nelson, Leeds.—Petition dated Nov. 19.

WILLIAM HUIZE, Stockport, Cheshire, draper, dealer and chapman, Dec. 4 and Jan. 7 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Sale & Co., Manchester.—Petition filed Nov. 13.

EDWARD LEIGH, Glossop, Derbyshire, cotton manufacturer, Dec. 3 and Jan. 8 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Atkinson & Co., Manchester.—Petition filed Nov. 12.

JOHN SIMPSON, Manchester, grocer and provision dealer, Dec. 3 at 11, and Dec. 23 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Barratt, Manchester.—Petition filed Nov. 20.

MEETINGS.

P. S. F. Martin, Halstead, Essex, iron manufacturer, Dec. 6 at 1, Court of Bankruptcy, London, pr. d.—*George Barton* and *John Barton*, Manchester, copper-roller manufacturers, Dec. 4 at 12, District Court of Bankruptcy, Manchester, pr. d.; Dec. 11 at 12, fin. div.—*Henry H. Walker*, Manchester, calico printer, Dec. 5 at 12, District Court of Bankruptcy, Manchester, last ex.—*T. Booker* the elder and *T. Booker* the younger, Mark-lane, London, merchants, Dec. 10 at 12, Court of Bankruptcy, London, aud. ac.—*Isaac Jessup*, Kingsdown, near Dartford, Kent, farmer, Dec. 10 at 11, Court of Bankruptcy, London, aud. ac.—*Edw. Reynolds* the younger, Southtown, Gorleston, Suffolk, miller, Dec. 6 at 1, Court of Bankruptcy, London, aud. ac.; Dec. 13 at 3, div.—*Thomas Williams*, Trowbridge, Wiltshire, auctioneer, Dec. 20 at 12, District Court of Bankruptcy, Bristol, aud. ac.—*E. Bussell*, *R. Bussell*, and *Chas. Bussell*, Gloucester, builders, Dec. 13 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Wilkinson*, Stockton-upon-Tees, Durham, wharfinger, Dec. 10 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Rich. Birrell*, Blackburn, Lancashire, linen draper, Dec. 11 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 18 at 12, div.—*Wm. G. Williams*, Accrington, Lancashire, draper, Dec. 3 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Wm. Kaye*, Liverpool, paper dealer, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Joseph R. Pim*, Birkenhead, Cheshire, brickmaker, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Hignett*, Weaverham, Cheshire, shoemaker, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Brotherton*, Liverpool, merchant, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—

John White, Dudley, Worcestershire, innkeeper, Dec. 17 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John G. Fuller*, St. James-street, Middlesex, and Streatham, Surrey, wine merchant, Dec. 16 at 1, Court of Bankruptcy, London, div.—*John King Pyrke*, High-street, Notting-hill, Middlesex, bookseller, Dec. 14 at 12, Court of Bankruptcy, London, div.—*George Knight*, Worthing, Sussex, Dec. 14 at 1, Court of Bankruptcy, London, div.—*John Tomlin*, Finchley-common, Middlesex, licensed victualler, Dec. 14 at 11, Court of Bankruptcy, London, div.—*The Merchant Traders Ship Loan and Insurance Association*, Nov. 25 at 2, Court of Bankruptcy, London, div.—*James Burt* and *James Burt* the younger, Manchester, and *William T. Watson*, Leeds, Yorkshire, commission agents, Dec. 2 at 12, District Court of Bankruptcy, Manchester, div. sep. est. of *James Burt*.—*Jas. Robertson*, Liverpool, merchant, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. B. Cooke*, Winshill, Burton-upon-Trent, Derbyshire, tape manufacturer, Dec. 13 at 10, District Court of Bankruptcy, Nottingham, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Daniel Grant, Cheapside, London, printer, Dec. 13 at 11, Court of Bankruptcy, London.—*Matthew Batten*, Kintbury, Berkshire, sheep dealer, Dec. 17 at 11, Court of Bankruptcy, London.—*Wm. Pike*, Reading, Berkshire, tobaccoist, Dec. 13 at 12, Court of Bankruptcy, London.—*James Bennett*, Hay-hill, Berkeley-square, Middlesex, builder, Dec. 13 at 1, Court of Bankruptcy, London.—*Joseph Seetle*, Freeschool-street, Horsleydown, Southwark, Surrey, wine merchant, Dec. 13 at 2, Court of Bankruptcy, London.—*Joseph Brown*, Windmill-st., Gravesend, Kent, grocer, Dec. 13 at 3, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

Thomas Wood, Barden Mill, Tunbridge, Kent, miller.—*Clason Scarfe*, Hall-st., City-road, Middlesex, timber merchant.—*Samuel France*, Bradford, Yorkshire, grocer.—*Saml. Wilkes*, Birmingham, clock dial maker.—*Benjamin H. Bates*, Liverpool, merchant.

SCOTCH SEQUESTRATIONS.

Wm. Baird, Glasgow, grain merchant.—*James Nicol* and *David Monro*, Aberdeen, advocates.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Evans, Walsall, Staffordshire, baker, Nov. 27 at 12, County Court of Staffordshire, at Walsall.—*Joshua J. James*, Bristol, retailer of beer, Jan. 15 at 11, County Court of Gloucestershire, at Bristol.—*Robert Keyworth* the younger, Newton-on-Trent, Lincolnshire, wheelwright, Dec. 9 at 9, County Court of Lincolnshire, at Gainsborough.—*Joseph L. Sison*, Coleford, Newland, Gloucestershire, perpetual curate of the church of Coleford, Dec. 23 at 1, County Court of Monmouthshire, at Monmouth.—*Richard C. Booth*, Dudley, Worcestershire, ironworker, Nov. 29 at 3, County Court of Worcestershire, at Dudley.—*J. Graham*, Newton-on-Trent, Lincolnshire, veterinary surgeon, Dec. 9 at 9, County Court of Lincolnshire, at Gainsborough.—*Joseph Sissons*, Gainsborough, Lincolnshire, nurseryman, Dec. 9 at 3, County Court of Lincolnshire, at Gainsborough.—*Thomas Hadley*, Dudley, Worcestershire, out of business, Nov. 29 at 3, County Court of Worcestershire, at Dudley.—*John Mills*, Buckingham, innkeeper, Dec. 12 at 10, County Court of Buckinghamshire, at Buckingham.—*Edward W. Burton*, Faversham, Kent, bricklayer, Dec. 5 at 1, County Court of Kent, at Faversham.—*Thomas Ashley*, Freefolk, Whitechurch, Southampton, carpenter, Dec. 11 at 10, County Court of Hampshire, at Andover.—*James F. Taylor*, Leicester, out of business, Dec. 12 at 10, County Court of Leicestershire, at Leicester.—*J. Bannister*, Pershore, Worcestershire, licensed victualler, Dec. 12 at 2, County Court of Worcestershire, at Pershore.—*W. Lediard*, Worcester, cabinet maker, Dec. 11 at 10, County Court of Worcestershire, at Worcester.—*Joseph Greenaway*, Dudley Port, Tipton, Staffordshire, retailer of ale, Nov. 29 at 3, County Court of Worcestershire, at Dudley.—*James Isaac*, Langport, Somersetshire, coachmaker, Dec. 6 at 10, County Court of Somersetshire, at Langport.—*Thomas Taylor*, Lang-

port, Somersetshire, plumber, Dec. 6 at 10, County Court of Somersetshire, at Langport.—*Benj. Morgan*, Dudley Pat. Tipton, Staffordshire, miner, Nov. 29 at 3, County Court of Worcestershire, at Dudley.—*Benjamin Broomhead*, Sheffield, Yorkshire, butcher, Dec. 4 at 12, County Court of Yorkshire, at Sheffield.—*Watson W. Morrell*, Dudley, Worcestershire, cabinet maker, Nov. 29 at 3, County Court of Worcestershire, at Dudley.—*John L. Millerd*, Bristol, out of business, Jan. 13 at 11, County Court of Gloucestershire, at Bristol.—*Matthew Meade*, Othery, Somersetshire, wheelwright, Dec. 10 at 10, County Court of Somersetshire, at Bridgewater.—*Charles Heath*, Bridgewater, Somersetshire, glass dealer, Dec. 10 at 10, County Court of Somersetshire, at Bridgewater.—*John Rose*, Sparsholt, Berkshire, baker, Dec. 12 at half-past 10, County Court of Berkshire, at Wantage.—*Joseph G. Flower*, Great Yarmouth, Norfolk, hairdresser, Dec. 11 at 10, County Court of Norfolk, at Great Yarmouth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 7 at 11, before Mr. Commissioner PHILLIPS.

Edward Duckett, Shahan-pl., Ball's-pond-road, Islington, Middlesex, carpenter.—*W. Earles*, Hart-st., Covent-garden, Middlesex, labourer.—*J. Stapler*, Belgrave-terrace, Queen's-road, Dalston, Middlesex, dairyman.

Dec. 9 at 10, before Mr. Commissioner LAW.

Hen. Russell, Curtain-road, Shoreditch, Middlesex, cabinet maker.—*Christopher C. Foster*, Palace New-road, Lambeth, Surrey, coal merchant.

Dec. 3 at 11, before Mr. Commissioner PHILLIPS.

Adjourned Case.

Charles J. Beaumont, Greenwich-road, Greenwich, Kent, watchmaker.

Dec. 9 at 11, before Mr. Commissioner PHILLIPS.

James Rutherford, Harmood-st., Hampstead-road, Middlesex, blacksmith.

Dec. 6 at 10, before Mr. Commissioner LAW.

Henry Edsall, Crown-street, East Walworth, Surrey, bookseller.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 7 at 11, before Mr. Commissioner PHILLIPS.

Philip Alexander Harris, Great Bell-alley, Moorgate-st., City, linendraper.—*Joseph Piper*, New-street West, New Kennington-road, Surrey, cowkeeper.—*Geo. Anderson*, Gainsford-street, Barnsbury, Middlesex, coal merchant.—*George Burton Wingrave*, North Audley-street, Grosvenor-square, Middlesex, upholsterer.—*William Cuning*, William-street, Hampstead-road, Middlesex, out of business.

Dec. 9 at 11, before the CHIEF COMMISSIONER.

John Siely, Charrington-street, Oakley-square, St. Pancr. Middlesex, commission agent.—*Henry Bird*, Field-cottage, John-street, Upper Holloway, Middlesex, surgeon.—*Ramond William Violet*, Upper Stamford-street, Blackfriars-road, Surrey, attorney-at-law.—*Rev. John Robert Cawler*, B. D., Prittlewell, Essex, curate of that parish.

Dec. 9 at 10, before Mr. Commissioner LAW.

Richard Farrar, Noble-street, Cheapside, London, commission agent.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

William Henry Mayoh, Manchester, out of business, No. 73,004 C.; *Thomas Horner*, assignee.—*Robert Tinsley*, Salford, out of business, No. 73,006 C.; *John Gaskell Appleton* and *Thomas Rutter*, assignees.—*Peter Stephen Cropper*, Manchester, out of business, No. 72,839 C.; *John Wood*, assignee.—*John Rowell*, Burnley, shoemaker, No. 72,997 C.; *Patrick Shanley*, assignee.—*John Wharton*, Salford, out of business, No. 73,035; *Charles Hunt*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Dec. 6 at 11.

John Faulkner, Ashton-under-Lyne, schoolmaster.—Saml. Hulley, Ashton-under-Lyne, out of employment.—James Bowden, Ashton-under-Lyne, out of business.—T. Brocklehurst, Heaton Norris, near Manchester, out of business.—Thomas Wilding, Liverpool, out of business.—John Frith, Liverpool, butcher.—Stretthill Foden, Blackburn, out of business.—John Cockcroft, Liverpool, out of business.—Edmund Lord, Manchester, manager in a cotton factory.—John Mackey, Liverpool, ginger-beer manufacturer.—Robt. Harding, Staleybridge, out of business.—Joseph Redish, Liverpool, merchant.—William Eccles, Preston, out of business.—David Griffiths, Liverpool, out of business.—George Ollershaw, Manchester, turncock to the Manchester and Salford Waterworks Company.—George Shaw, Denton, superintendent of waterworks.

At the County Court of Durham, at DURHAM, Dec. 6.

Charles Robinson, Barnard Castle, blacksmith.—George Appleby, Shincliffe-mill, near Durham, out of business.—Thomas Turton, Seaton Carew, brewer's clerk.

At the County Court of Worcestershire, at WORCESTER, Dec. 11 at 10.

Thomas Bird, Worcester, out of business.

At the County Court of Radnorshire, at PRESTIGE, Dec. 10.

John Evans, Graig, Llanvairwaterdine, Shropshire, farmer.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Dec. 12 at 10.

Theodorick Terrey, Lyng, near Reepham, farmer.

At the County Court of Norfolk, at the Guildhall, NORWICH, Dec. 12 at 10.

Robert Balls, Norwich, out of business.—Francis Aikin, Heigham, Norwich, traveller to a tea dealer.

At the County Court of Brecknockshire, at BRECKNOCK, Dec. 6 at 10.

Henry Jolliffe, Brecknock, innkeeper.

At the County Court of Berkshire, at READING, Dec. 9.

James Keylock, Pangbourne, near Reading, in no business.

At the County Court of Anglesey, at LLANGFNI, Dec. 11 at 11.

Thomas Plaisted, Holyhead, blockmaker.

At the County Court of Carmarthenshire, at CARMARTHEN, Dec. 10 at 2.

Henry Bedwell, Danddofawr, surgeon.

INSOLVENT DEBTORS' DIVIDENDS.

Sarah Fisher, Marsh-house, Ecclesall Bierlow, Sheffield, Yorkshire: 13s. 6d. in the pound.—Alex. Sutherland, Grassendale-park, Aigburth, near Liverpool, mariner: 6½d. in the pound.—John Allen, Featherstone-st., City-road, Middlesex, silman: 2s. 1½d. in the pound.—John Apperley Dudbridge, Hunter-st., Kent-st.-road, Surrey, tea dealer: 2s. 1½d. in the pound.—John Smith, High-street, Putney, Surrey, builder: 10d. in the pound.—Edw. Foxwell, Lower-road, Islington, Middlesex, tailor: 2s. 3½d. in the pound.—William Barnes, Byron-place, St. James-st., Old Kent-road, Surrey, messenger in the General Post-office: 2s. 3½d. in the pound.

Apply to the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

John Jones, Cwm, Llanwenarth Ultra, Monmouthshire, miller, Dec. 9 at 12, at Davies & Son's, Crickhowell, Brecknockshire, sp. aff.

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The Third Volume, containing the early decisions which relate to the Principles of Equity not overruled or obsolete, will be ready for delivery during the Easter Term.

London: Butterworths, Fleet-street; Stevens & Norton, Bell-yard and Simpkin, Marshall, & Co., Stationers' Hall-court. Dublin: Hodges & Smith.

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The Jurist

No. 725—VOL. XIV. NOVEMBER 30, 1850.

PRICE 1s.

* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

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LONDON, NOVEMBER 30, 1850.

Among other demands for alterations in the law, is now prominently put forward, and not without much reason, a demand for a great alteration of the law of patents.

The first in order, if not in magnitude, of the vices attaching to our system of granting patents, is the inordinate expense of obtaining them. 90*l.* 18*s.* for the expense of merely obtaining an unopposed grant of a patent to one person for England alone; about 68*l.* for a like grant of a Scotch patent; and about 118*l.* for the like grant of an Irish patent—making a total of 276*l.* 18*s.* for the three kingdoms—form a tolerable price to be paid by an inventor for obtaining protection in the use of his invention. But this is not all: if the grant be opposed, the additional unavoidable fees—that is, the official fees—amount in England to about 7*l.* 14*s.* What they amount to in Scotland and Ireland we are not aware, but they are probably not much less.

If the patent be granted to more than one person, the expense in England is increased for every additional name by 18*l.* 12*s.* 6*d.* The same rule prevails with regard to Irish and Scotch patents, though what is the precise increase for additional names we are not informed. To these expenses must be added, as an expense practically unavoidable, a fee of 10 guineas, in respect of each patent, to the agent who passes it. We say practically unavoidable, because, though an inventor may take his own petition and pass it through all the stages necessary to obtain a patent, the economy of such a proceeding, in lieu of availing himself of the services of a practised agent, would be something like the economy of walking on a journey of business, instead of using a railway. There is, after all this,

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the expense of preparing, ingrossing, and inrolling the specification—an expense which, we believe, is never known to be less than 10*l.*; and if the invention be mechanical, and of any degree of complication requiring plans, the expense attending the specification is more likely to be above than under 30*l.* Altogether it may be fearlessly asserted, that an inventor rarely sees his patent through to the last stage, viz. the inrolment of the specification, for less than 130*l.* in England; 150*l.* to 160*l.* in Ireland; and 100*l.* to 110*l.* in Scotland. These are prices which at this day are unquestionably outrageous. That they would operate as a bar to invention might, at first sight, be supposed; but we apprehend the mischief that they work in that way, is much less than the mischief they work in the way of making patents “mischievous to the State, (to use the words of the Statute of Monopolies), by raising of the prices of commodities at home,” and by withdrawing from the hands of inventors large sums of money which would, in the interest of the public, be more usefully employed in bringing their inventions to perfection, than by passing into the Treasury or into public offices. While the petition for a grant of letters-patent continues to be passed through such a multiplicity of stages as the present practice requires, it might be perhaps difficult to diminish very much the expense. But the passing an application for a patent through so many stages is absolutely useless. The plea for it of old was, that by passing a patent through the hands of many public officers, there was greater security offered for the detection of any false representation, so that the grant might be protected against making an improper grant—a very good plea when the grants by letters-patent were of Crown property or other rights by grant, which the Crown lost something which it meant to gain.



fer, on public or private grounds, on the objects of its favour; but such a plea is obviously inapplicable to grants of letters-patent for invention, where the Crown parts with nothing, and never, in fact, makes the slightest inquiry whether there is any false representation or not.

All that is substantially requisite in granting letters-patent for inventions is, that the Crown should be satisfied by the petition, supported by the affidavit of the inventor, that he is, or believes himself to be, the inventor; that the opportunity should be offered, for any person having an interest, to oppose the grant, as is now usually done; and that the grant should be issued; and these things might be done, and well done, at one quarter of the expense now requisite.

But the greatest evil attending the law of patents is, not the expense of obtaining them, but the unsatisfactory nature of the title obtained. In the first place, it is familiar, unfortunately, to inventors as well as to lawyers, that discordance between what is technically called the *title* of a patent and the specification, is fatal to the patentee's claim. Now, considering that an inventor is obliged to prepare the title of his patent before he can venture openly on experiments, and that it commonly happens, that, after he has secured his right by obtaining the patent, improvements, so material as to alter the character of the invention, suggest themselves, it is not wonderful that when patents come before the Courts, there should so frequently be found a fatal variance between the title of the patent and the specification. This defect of the law has been partially remedied, it is true, by Lord Brougham's Act, which permits the cure of a defective patent by disclaimer or amendment. But the remedy is but partial; it permits a cure where the patent covers too much—that is, more than the specification describes; but not where the patent covers too little; nor where there is a substantial difference between the title and the specification—that is, where the title describes one thing, and the specification describes something essentially different.

Another objection to the title acquired by a patentee arises out of the nondescript nature of the grant, and the almost total impossibility of ascertaining whether it is incumbered; so that, on the sale of a patent, the purchaser must take his chance of the sufficiency of the title, and rely almost entirely on the covenants of the vendor. For instance, as it is quite unsettled whether letters-patent pass any legal estate, and what is the effect of the bodily possession of the letters-patent, it follows, that if a patentee mortgages or grants licenses without delivering up the letters-patent, and there is no notice of the charge indorsed, and the patentee then sells, and the purchaser takes possession of the letters-patent, it is uncertain whether he takes subject to the mortgage or license, or not, because that depends on the nature of the estate. If there is a legal estate in letters-patent, the first assignee will take it, and the subsequent charge would, of course, be postponed. If there is nothing in a patent but an equitable interest, then the question would be, whether there is virtue enough in the bodily possession of the letters-patent to give the subsequent purchaser a better title than his predecessor.

There is no mode by which a purchaser can ascertain whether there are any prior incumbrances; there is no trustee of whom inquiry can be made; there is no registry where search can be made; nor is there any course of inquiry, of which we are apprised, that can, with any degree of certainty, lead to the detection of charges. The result is, that letters-patent are, of all titles, the most unmarketable.

The Queen has been pleased, by letters-patent, to appoint Joseph Humphry, Esq., to be one of the Masters in Ordinary of the High Court of Chancery, in the room of John Edmund Dowdeswell, Esq.

COURT OF QUEEN'S BENCH.

November 29, 1850.

The Rules for New Trials in Country Cases, tried before Lord Campbell at the Spring Assizes, 1850, standing in the New Trial Paper, will be taken on Friday, the 6th December next, instead of on Tuesday, the 3rd December, as previously intimated. Some Judgments will likewise be given on the 6th and also on the 7th December next. The Rules for New Trials in Country Cases, granted during Michaelmas Term, 1850, will probably be taken during the present Sittings in Banc.

By THE COURT.

GENTLEMEN CALLED TO THE BAR.

The following Gentlemen have been called to the degree of Barrister at Law:—

LINCOLN'S-INN.—H. A. Roberts, Esq.; H. M. Wright, Esq.; J. B. Davidson, Esq.; E. A. Carlyon, Esq.; W. U. Heygate, Esq.; J. D. Rochford, Esq.; F. Compton, Esq.; W. J. Pakenham, Esq.; E. P. Walsenholme, Esq.; F. Dobinson, Esq.; S. Brandram, Esq.

INNER TEMPLE.—F. H. Bowring, Esq.; H. C. Ward, Esq.; V. C. Knight, Esq.; J. B. Sargeant, Esq.; A. L. D. Lloyd, Esq.; J. J. Sylvester, Esq.; P. C. Gates, Esq.; W. Slade, Esq.; B. K. Peel, Esq.; G. G. Byrne, Esq.; J. Briggs, Esq.; G. O. Edwards, Esq.; John Bradley, Esq.; J. Wilkinson, Esq.; T. L. Ewen, Esq.; John Thorp, Esq.; W. L. Terry, Esq.; O. M. Ridley, Esq.

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GRAY'S-INN.—Edmund Tonks, Esq.; Montague Mordaunt Ainalie, Esq.; William Arnold Bainbrigg, Esq.

Court Papers.

EQUITY SITTINGS, AFTER MICHAELMAS TERM, 1850.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's In.

Saturday ..	Nov. 30	First Seal.—Appeal Motions.
Monday	Dec. 2	
Tuesday	3	} Appeals.
Wednesday	4	
Thursday	5	
Friday	6	{ (Petition-day).—Lunatic and Case Petitions (unopposed first).
Saturday	7	
Monday	9	} Second Seal.—Appeal Motions.
Tuesday	10	
Wednesday	11	
Thursday	12	{ Third Seal.—Appeal Motions. (Petition-day).—Lunatic and Case Petitions (unopposed first).
Friday	13	
Saturday	14	
Monday	16	} Appeals.
Tuesday	17	
Wednesday	18	
Thursday	19	{ Fourth Seal.—Appeal Motions. (Petition-day).—Lunatic, Case, and Bankrupt Petitions.
Friday	20	
Saturday	21	
Monday	23	{ Remaining Petitions and Appeal Mo- tions.
		Ditto.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at the Rolls and at the Judicial Committee.

At the Rolls.

Saturday .. Nov. 30	Motions.
Monday Dec. 2	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Tuesday 3	
Wednesday 4	
Thursday 5	
Friday 6	
Saturday 7	Motions.

At the Judicial Committee.

Monday 9
Tuesday 10
Wednesday 11

At the Rolls.

Thursday 12	Motions.
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At the Judicial Committee.

Friday 13
Saturday 14
Monday 16
Tuesday 17

At the Rolls.

Wednesday 18	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Thursday 19	
Friday 20	Petitions in General Paper.

Consent Causes, Short Causes, Short Claims, and Unopposed Petitions, on Saturday the 30th November, Saturday the 1st December, and Wednesday the 18th December, at the sitting of the Court.

Vice-Chancellors' Courts.

Before VICE-CHANCELLOR KNIGHT BRUCE, at Lincoln's Inn.

Saturday .. Nov. 30	First Seal.—Motions.
Monday Dec. 2	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday 3	
Wednesday 4	
Thursday 5	
Friday 6	
Saturday 7	Second Seal.—Motions.
Monday 9	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday 10	
Wednesday 11	Short Causes, Short Claims, and Petitions.
Thursday 12	Bankrupt Petitions, Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday 13	Third Seal.—Motions.
Saturday 14	Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Sunday 15	
Monday 16	Bankrupt Petitions and Ditto.
Tuesday 17	
Wednesday 18	Fourth Seal.—Motions.
Thursday 19	Petitions.
Friday 20	Short Causes, Short Claims, and Remaining Petitions.
Saturday 21	

Before VICE-CHANCELLOR ROLFE, at Lincoln's Inn.

Saturday .. Nov. 30	First Seal.—Motions.
Sunday Dec. 2	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday 3	
Wednesday 4	
Thursday 5	
Friday 6	
Saturday 7	(Petition-day).—Petitions, (unopposed first), Short Causes, & Short Claims.
Sunday 8	Second Seal.—Motions.
Monday 9	Remaining Petitions, Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday 10	Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions.
Wednesday 11	
Thursday 12	Third Seal.—Motions.
Friday 13	(Petition-day).—Petitions, (unopposed first), Short Causes, & Short Claims.

Saturday 14	Remaining Petitions and Causes.
Monday 16	Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions.
Tuesday 17	
Wednesday 18	
Thursday 19	Fourth Seal.—Motions.
Friday 20	(Petition-day).—Petitions, (unopposed first), Short Causes, & Short Claims.
Saturday 21	Remaining Petitions and Motions.
Monday 23	Ditto.

London Gazettes.

TUESDAY, NOVEMBER 26.

BANKRUPTS.

EDWARD BREWSTER and EDWARD WEST, Hand-court, Dowgate, London, printers, dealers and chapmen, Dec. 5 and Jan. 16 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Hubbard, 18, Bucklersbury.—Petition dated Nov. 22.

ROBERT DEVER, Cornhill, London, cook and confectioner, dealer and chapman, Dec. 5 at half-past 1, and Jan. 9 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Lawrance & Flews, Frederick's-place, Old Jewry.—Petition dated Nov. 21.

WILLIAM GOODCHILD SHIPLEY, Market-row, Oxford-market, St. Marylebone, Middlesex, corn dealer, Dec. 5 at 12, and Jan. 9 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Homfray, 18, Margaret-st., Cavendish-square.—Petition dated Nov. 23.

HENRY JOHNSON, Bishopsgate-street Without, London, tea dealer and grocer, Dec. 7 at half-past 1, and Jan. 10 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Baylis & Drewe, 22, Redcross-street.—Petition dated Nov. 23.

WILLIAM SMITH, Standard Saw-mills, Canal-road, Kingsland, Middlesex, timber merchant and saw-mill proprietor, Dec. 4 and Jan. 10 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Hind, 25, Clement's-lane, City.—Petition filed Nov. 22.

JAMES HOPEWELL BROWN, Norwich, wine and spirit merchant, Dec. 6 at 2, and Jan. 11 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Jay & Pilgrim, Norwich; Jay, Bucklersbury, London.—Petition dated Nov. 21.

GEORGE AUGUSTUS DAVIS, formerly carrying on business with John Henry Florence at the Bishopsgate Distillery, Skinner-st., London, as distillers and wine merchants, and afterwards on his own account, at the same place, and now residing in Union-st., Berkeley-sq., Middlesex, Dec. 6 at 2, and Jan. 15 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Vincent & Randall, 8, Castle-st., Holborn, London.—Petition filed Nov. 16.

RICHARD PEACOCK, Ladbroke-grove, Notting-hill, Middlesex, plumber, painter, glazier, and house agent, Dec. 9 and Jan. 15 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Dry, 7, New-inn, Strand.—Petition dated Nov. 22.

CHARLES MACKENZIE, Lower Crown-st., Westminster, Middlesex, bookbinder, stationer, dealer and chapman, Dec. 9 and Jan. 15 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Goddard, 28, King-st., Cheapside.—Petition dated Nov. 22.

HENRY RICHARD HOLLOWAY, Ryde, Isle of Wight, Southampton, bookseller and stationer, carver and gilder, dealer and chapman, Dec. 7 at 11, and Jan. 11 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Sewell & Co., 51, Old Broad-st., London.—Petition dated Nov. 25.

WILLIAM STARKEY, Huddersfield, Yorkshire, wool-stapler, dealer and chapman, Dec. 20 and Jan. 16 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. W. & G. Sykes, Milnsbridge; Nixon, Leeds.—Petition dated and filed Nov. 15.

DAVID DOUGLAS, Chorlton-upon-Medlock, Manchester, draper, dealer and chapman, Dec. 13 at 11, and Jan. 9 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Grundy, Bury, Lancashire; Bennett, Manchester.—Petition filed Nov. 15.

JAMES MATHISON, Ferry-hill, Durham, builder and contractor, Dec. 3 at 11, and Jan. 7 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Young & Harrison, Sunderland. — Petition filed Nov. 20.

MEETINGS.

Thomas Dean Alderson, Great Marlborough-street, and Warwick-street, Golden-sq., Middlesex, pewterer, Dec. 10 at half-past 12, Court of Bankruptcy, London, pr. d.—**Robert Barker** and **Henry Davey**, Bicester, Oxfordshire, drapers, Dec. 19 at half-past 2, Court of Bankruptcy, London, last ex.—**Thomas Tibbett**, March, Cambridgeshire, corn factor, Dec. 7 at 1, Court of Bankruptcy, London, last ex.—**P. Playfair**, Warwick, innkeeper, Dec. 19 at 12, District Court of Bankruptcy, Birmingham, last ex.—**William Grayson**, Mortlake, Surrey, market gardener, Dec. 18 at 1, Court of Bankruptcy, London, aud. ac.—**Wm. John A. Ioe**, Merchants' Dock-yard, Deptford-green, and Nelson's-cottages, Bexley-heath, Kent, ship builder, Dec. 7 at 11, Court of Bankruptcy, London, aud. ac.—**Wm. Keeping**, East-st., Walworth, Surrey, common brewer, Dec. 16 at 11, Court of Bankruptcy, London, aud. ac.—**Abraham Solomons**, Basinghall-st., London, merchant, Dec. 17 at 12, Court of Bankruptcy, London, aud. ac.—**Joseph Forrester**, Whitehaven, Cumberland, mercer and draper, Dec. 19 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Dec. 20 at 11, fin. div.—**John Appleby**, Shindcliffe Mill, Durham, miller, Dec. 17 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Dec. 19 at 1, div.—**Samuel Brown**, Sunderland, Durham, common brewer, Dec. 20 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—**John Storey**, Monkwearmouth, Sunderland, rope manufacturer, Dec. 20 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; at half-past 12, div.—**John Davidson** and **Richard Davidson**, South Shields, Durham, butchers, Dec. 19 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—**W. Turnbull**, Newcastle-upon-Tyne, victualler, Dec. 13 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—**James Atkinson**, Newcastle-upon-Tyne, victualler, Dec. 19 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Dec. 20 at 12, div.—**Jos. Middleton Penman** and **Thomas Penman**, Sunderland, Durham, apothecaries, Dec. 20 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. sep. est. of **Jos. Middleton Penman**.—**Thos. Skelton Sleightholme**, Scarborough, Yorkshire, painter, Dec. 9 at 12, District Court of Bankruptcy, Leeds, aud. ac.; Dec. 17 at 11, div.—**Wm. J. Jackman Coall**, Exeter, grocer, Dec. 10 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Dec. 18 at 11, div.—**H. Andrew**, Smedley, Manchester, dyer, Dec. 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 20 at 12, div.—**Joseph Fielding**, Middleton, Lancashire, corn dealer, Dec. 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 19 at 12, fin. div.—**Gaven Morton**, New-road, Whitechapel-road, Middlesex, draper, Dec. 20 at 11, Court of Bankruptcy, London, div.—**Charles Bunyard**, Mark-lane, London, seedsman, Dec. 19 at 1, Court of Bankruptcy, London, div.—**Wm. Claridge**, High-st., Bromley St. Leonard, Middlesex, butcher, Dec. 20 at 11, Court of Bankruptcy, London, div.—**Jonathan Steele**, Plough-road, Deptford, Kent, tar manufacturer, Dec. 19 at half-past 11, Court of Bankruptcy, London, div.—**John A. Stirton**, Chandos-st., Covent-garden, Middlesex, grocer, Dec. 21 at 12, Court of Bankruptcy, London, div.—**Wm. Hoole** and **John Lockyer**, St. James's-walk, Clerkenwell, Middlesex, metal tool merchants, Dec. 19 at half-past 12, Court of Bankruptcy, London, div.—**John Fitzgerald**, Portland-place, Middlesex, and Pendleton, Lancashire, coal merchant, Dec. 17 at half-past 12, Court of Bankruptcy, London, div.—**John Thos. Brameld**, Titchborne-street and Great Windmill-street, St. James's, Westminster, Middlesex, china, glass, and earthenware dealer, Dec. 23 at 12, Court of Bankruptcy, London, div.—**John Isaiah Grylla**, Pontardulais, **William Stubbs**, Llanelly, Carmarthenshire, and **Richard Booty Cousins**, Stepney, Middlesex, engineers, Dec. 19 at 11, District Court of Bankruptcy, Bristol, fin. div. sep. est. of **Richard Booty Cousins**; Dec. 20 at 11, div. joint est.—**John White**, Dudley, Worcestershire, innkeeper, Dec. 18 at 12, District Court of Bankruptcy, Birmingham, div.—**Elizabeth Green**, Spring Mill and Croasland Moor, Almondbury, Yorkshire, common brewer, Dec. 6 at 11, District Court of Bankruptcy, Leeds, aud. ac.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Booker the elder and **Thomas Booker** the younger, Mark-lane, London, merchants, Dec. 17 at 1, Court of Bankruptcy, London.—**Anthony Edward Corvan**, Hampstead-road and Liason-grove, Middlesex, baker, Dec. 20 at 1, Court of Bankruptcy, London.—**John Thomas Brameld**, Titchborne-st. and Great Windmill-street, St. James's, Westminster, Middlesex, china dealer, Dec. 17 at 2, Court of Bankruptcy, London.—**John Griffiths**, Strand, Middlesex, linendraper, Dec. 19 at 12, Court of Bankruptcy, London.—**Jonathan Steele**, Plough-road, Deptford, Kent, tar manufacturer, Dec. 19 at half-past 11, Court of Bankruptcy, London.—**John Wylie Barrow**, Philpot-lane, Fenchurch-st., London, commission agent, Dec. 20 at 2, Court of Bankruptcy, London.—**Geo. Norton**, Codford, Wiltshire, plumber, Dec. 20 at 1, Court of Bankruptcy, London.—**Edward Grosvenor**, Wisbeach and Parson Drove, Cambridgeshire, draper, Dec. 19 at 2, Court of Bankruptcy, London.—**George Ketcher**, Asheldham, Essex, innkeeper, Dec. 19 at 11, Court of Bankruptcy, London.—**John Davidson** and **Richard Davidson**, South Shields, Durham, butchers, Dec. 19 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—**John Appleby**, Shindcliffe Mill, Durham, miller, Dec. 19 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—**Wm. Goodwin**, Macclesfield, Cheshire, manufacturer, Dec. 19 at 12, District Court of Bankruptcy, Manchester.—**Francis Blanchard** and **Wm. Passmore**, Leeds, Yorkshire, tailors, Dec. 19 at 11, District Court of Bankruptcy, Leeds.—**Wm. Richards**, Devonport, Devonshire, printer, Jan. 9 at 11, District Court of Bankruptcy, Plymouth.—**Summerland Steinfeld**, Plymouth, Devonshire, innkeeper, Jan. 9 at 11, District Court of Bankruptcy, Plymouth.

To be granted, unless an Appeal be duly entered.

J. Brown, Bedford-st., Covent-garden, Middlesex, coach-lace manufacturer.—**Henry Augustus Hope**, Trinity-square, Surrey, carrier.—**Henry Search**, Lower-road, Rotherhithe, Surrey, carpenter.—**Wm. Helm**, Salford, Lancashire, brick-layer.—**Thomas Basendale**, Bolton-le-Moors, Lancashire, grocer.—**Wm. Thompson**, Morpeth, Northumberland, spirit merchant.—**Samuel Wilson**, Wolverhampton, Staffordshire, grocer.—**Wm. Smith**, Idle, near Bradford, Yorkshire, cloth manufacturer.—**George Kilner**, Kirkheaton, Yorkshire, coal merchant.—**Edward Milnes**, Bradford, Yorkshire, innkeeper.

PARTNERSHIP DISSOLVED.

Charles Wells Rolfe and **Alfred Sayres Edmunds**, South-square, Gray's-inn, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

James Milne, Stonehaven, shipowner.—**Robt. Lodge**, Alva, manufacturer.—**Mrs. M. King**, Motherwell, Dalsell, Lanarkshire, merchant.—**George Ramsay**, West Salton, Haddington, innkeeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Isaac Morris, Worcester, farmer, Dec. 12 at 10, County Court of Worcestershire, at Evesham.—**Joseph Farber**, Hanham, Gloucestershire, hallier, Dec. 16 at 11, County Court of Monmouthshire, at Chepstow.—**Thomas Sprod**, Congresbury, Somersetshire, grocer, Dec. 9 at 10, County Court of Somersetshire, at Axbridge.—**Horatio King**, Lynn, Norfolk, painter, Dec. 7 at 2, County Court of Norfolk, at King's Lynn.—**Rev. J. S. H. Welsh**, Studham, near Dunstable, Bedfordshire and Hertfordshire, clerk, Dec. 20 at 11, County Court of Bedfordshire, at Luton.—**Joseph Barnard**, Wisbech St. Peter, Isle of Ely, Cambridgeshire, excise officer, Dec. 7 at 2, County Court of Norfolk, at King's Lynn.—**John Oyden**, Bury, Lancashire, baker, Dec. 18 at 11, County Court of Lancashire, at Bury.—**Abraham Cook**, Ipswich, Suffolk, bricklayer, Dec. 13 at 10, County Court of Suffolk, at Ipswich.—**Jas. J. Nunn**, Ipswich, printer, Dec. 13 at 10, County Court of Suffolk, at Ipswich.—**W. Griffin**, Kidderminster, Worcestershire, grocer, Dec. 18 at 9, County Court of Worcestershire, at Kidderminster.—**J. Jordan**, Ipswich, Suffolk, butcher, Dec. 13 at 10, County Court of Suffolk, at Ipswich.—**E. Pownall**, Ipswich, Suffolk, attorney at law, Dec. 13 at 10, County Court of Suffolk, at Ipswich.—**James Gardiner**, Ipswich, Suffolk, carpenter, Dec. 13 at 10, County Court of Suffolk, at Ipswich.—**N. Byrley**,

Havant, Hampshire, baker, Dec. 18 at 10, County Court of Hampshire, at Portsmouth.—*Henry Wright*, Bursall, Suffolk, shoemaker, Dec. 13 at 10, County Court of Suffolk, at Ipswich.—*John Tilcock*, St. Alban's, Hertfordshire, green-grocer, Nov. 29 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Jacob Storm*, Middlebrough, Yorkshire, butcher, Dec. 10 at 10, County Court of Durham, at Stockton.—*James Price*, Hereford, fishmonger, Dec. 12 at 10, County Court of Herefordshire, at Hereford.—*John Neal*, Littleport, Isle of Ely, Cambridgeshire, baker, Dec. 11 at 11, County Court of Cambridgeshire, at Ely.—*Richard Lees*, Madeley, Shropshire, farmer, Dec. 14 at 10, County Court of Shropshire, at Madeley.—*Samuel Shotton* the elder, Wergs, near Wolverhampton, Staffordshire, in no business, Dec. 2 at 12, County Court of Staffordshire, at Wolverhampton.—*Wm. Probert*, Gloucester, shoemaker, Jan. 13 at 10, County Court of Gloucestershire, at Gloucester.—*Geo. Bradbury*, Bronington, Hanmer, Flintshire, labourer, Dec. 10 at 10, County Court of Shropshire, at Whitechurch.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 11 at 11, before the CHIEF COMMISSIONER.

Henry Bromwich, Holland-street, Blackfriars, Surrey, and White Hart-street, Warwick-lane, London, butcher.—*Wm. Hewlett*, North-place, Lower Edmonton, Middlesex, looking-glass-frame maker.—*Wm. T. E. Miller*, Elm-cottage, Rusby-green, Lewisham, Kent, clerk in her Majesty's Dockyard at Woolwich.—*Robert Markham*, Garford-street, Poplar, Middlesex, foreman to a carpenter.

Dec. 11 at 10, before Mr. Commissioner LAW.

Jane Worthum, widow, Sidmouth-street, Gray's-inn-road, Middlesex, never in any trade.—*John Galieue* the younger, Bath-street, St. Luke's, Middlesex, hat manufacturer.

Saturday, Nov. 23.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

A. Gilfillan, Greenwich, Kent, linendraper, No. 61,845 T.; Thomas Tarsey, assignee.—*Benj. Hastings*, Catfield, Norfolk, farmer, No. 72,107 C.; J. Moore and J. Durrant, assignees.—*Samuel Slater*, Rood-hill, Congleton, Cheshire, publican, No. 72,331 C.; George Harvey, assignee.—*Thomas Carter*, Stafford, coal dealer, No. 72,896 C.; T. Dimmock, assignee.

Saturday, Nov. 23.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

G. G. Lawrence, Compton-terrace, High-street, Islington, Middlesex, attorney's clerk: in the Queen's Prison.—*Charles Osborne*, Manchester-st., Gray's-inn-road, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*G. B. Wadsworth*, Golden-sq., Middlesex, surgeon: in the Debtors Prison for London and Middlesex.—*Wm. Jenkins*, Middle Queen's-buildings, Brompton, Middlesex, parliamentary agent: in the Debtors Prison for London and Middlesex.—*J. Underwood*, Murray-street, New North-road, Hoxton, Middlesex, merchant's clerk: in the Debtors Prison for London and Middlesex.—*Saml. Hoinville*, Hollybush-gardens, Bethnal-green, Middlesex, fancy trimming manufacturer: in the Debtors Prison for London and Middlesex.—*William E. Eastly*, Warwick-terrace, Willow-walk, Old Kent-road, Surrey, timber merchant: in the Debtors Prison for London and Middlesex.—*William Curtress*, Winchester-place, Southwark-bridge-road, Surrey, builder: in the Gaol of Horsemonger-lane.—*John Fitzroy Young*, Bury-street, St. James's, Middlesex, gentleman: in the Queen's Prison.—*Geo. Emanuel Jones*, Princes-street, Chelsea, Middlesex, surgeon: in the Queen's Prison.—*James Cruickshank Barton*, Regent-place, Commercial-road, Limehouse, Middlesex, master mariner: in the Debtors Prison for London and Middlesex.—*Pierre Surraud*, Great Pulteney-street, Golden-square, Middlesex, bootmaker: in the Debtors Prison for London and Middlesex.—*Alfred Pilkington*, Percival-street, Clerkenwell, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*John Thomas*, Eagle-street, Red Lion-square, Middlesex, green-

grocer: in the Debtors Prison for London and Middlesex.—*James William Wright*, St. George's-place, High-street, Camberwell, Surrey, barman to a licensed victualler: in the Gaol of Horsemonger-lane.—*Edgar Compton*, Salamanca-court, Salamanca-street, Princes-street, Lambeth, Surrey, potter: in the Gaol of Horsemonger-lane.—*St. Thomas Baker*, Manor-place North, King's-road, Chelsea, Middlesex, manufacturer of improved hot water apparatus: in the Queen's Prison.—*Edward Foster*, Salisbury-lane, Bermondsey-wall, Bermondsey, Surrey, licensed victualler: in the Queen's Prison.—*John Higge*, Sidney-street, Caledonian-road, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*John Lee Gill*, Oakley-street, Lambeth, Surrey, cook: in the Queen's Prison.—*John Cobb*, Frith-street, Soho, Middlesex, attorney-at-law: in the Debtors Prison for London and Middlesex.—*William Holmes*, Edward-street, Wardour-street, Middlesex, hairdresser: in the Debtors Prison for London and Middlesex.—*Hen. Hayward* the younger, Cumberland-street, Hackney-road, Middlesex, traveller in the soap trade: in the Queen's Prison.—*Robt. Oldham*, Fordham, Norfolk, farmer: in the Gaol of Norwich.—*Joseph Redish*, Liverpool, merchant: in the Gaol of Lancaster.—*Abraham Bayley*, Manchester, biscuit baker: in the Gaol of Lancaster.—*John Hughes*, Manchester, dealer in ale: in the Gaol of Lancaster.—*Robert Balls*, Tombland, Norwich, Norfolk, shoemaker: in the Gaol of Norwich.—*Thos. Holbrook*, Bagley, Hordley, Shropshire, farmer: in the Gaol of Shrewsbury.—*Robert Charles Meggitt*, Kingston-upon-Hull, ironfounder: in the Gaol of Kingston-upon-Hull.—*Thomas Vickers*, Summerwood, Dronfield, Derbyshire, labourer: in the Gaol of Derby.—*John Bensley Farman*, Downham Market, Norfolk, farmer: in the Gaol of Norwich.—*William Lawson*, Nafferton, near Driffeld, Yorkshire, painter: in the Gaol of York.—*Emanuel Midgley*, Tofts, Leeds, Yorkshire, retailer of beer: in the Gaol of York.—*John Robinson*, Morley, near Leeds, Yorkshire, cotton weaver: in the Gaol of York.—*George Monham*, Brindleheath, Pendleton, near Manchester, commercial traveller: in the Gaol of Manchester.—*William Mellor*, Round-hill, Aston, near Birmingham, woollendraper: in the Gaol of Coventry.—*John Thomas*, Newbridge, Glamorganshire, land surveyor: in the Gaol of Cardiff.—*Thomas Watts*, Birmingham, bookseller, in the Gaol of Coventry.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 11 at 10, before Mr. Commissioner LAW.

Henry Charles Palmer, Stone's-end, Newington, Surrey, hat manufacturer.—*Samuel Varley* the elder, Cripplegate, London, travelling grinder.—*Thomas Truman*, Savoy-street, Strand, Middlesex, hydraulic engineer.—*William Ebenezer Eastly*, Warwick-terrace, Willow-walk, Old Kent-road, Surrey, timber merchant.

Dec. 12 at 11, before the CHIEF COMMISSIONER.

Joseph Trigwell, King Edward-street, Westminster-road, Surrey, builder.—*Sarah Humphries*, Little Bell-alley, Coleman-street, London, housekeeper.—*Godfrey Bingley Wadsworth*, Golden-square, Middlesex, surgeon.

Dec. 12 at 11, before Mr. Commissioner PHILLIPS.

John Cruickshank, Crescent-place, Burton-crescent, Middlesex, artist in paintings.—*Marcus Lowther Crofton*, Gloucester-place, Kentish-town, Middlesex, clerk in the coast-guard-office, Custom-house.

INSOLVENT DEBTORS' DIVIDENDS.

Benjamin Webber, Woolwich, Kent, carpenter: 10s. 8d. in the pound.—*Joseph Corbyn*, deceased, Royal Hospital, Greenwich, Kent, commander in the Royal Navy: 4s. 4d. in the pound.—*William Henry Smith*, Amelia-street, Walworth-road, Surrey, clerk in the Customs: 7s. 11d. in the pound.—*Vane Jadis*, Sloane-street, Chelsea, Middlesex, clerk in the Colonial-office: 3s. 3d. in the pound.—*Martin Rawling*, deceased, Bridge-terrace, Old Brentford, Middlesex, superannuated clerk to the East India Company: 3½d. in the pound.—*William Amos*, South-bank, Notting-hill, Middlesex, dealer in sponge: 5½d. in the pound.—*George Erby*, Oxford-street, Middlesex, hosier: 4s. 4½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

George Lambert Gorwyn, deceased, Crediton, Devonshire, Nov. 29, Stogdon's, Exeter: 7s. 11d. in the pound.

FRIDAY, NOVEMBER 29.

BANKRUPTS.

MORGAN POWELL EDWARDS, Tredegar, Monmouthshire, linen and woollen draper, dealer and chapman, Dec. 10 at half-past 12, and Jan. 7 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Sole & Turner, Aldermanbury.—Petition dated Nov. 5.

WILLIAM STRANGE the elder, formerly of Paternoster-row, London, but now of Navarino-grove, Dalston, Middlesex, bookseller and publisher, dealer and chapman, Dec. 11 and Jan. 10 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Sheard, 6, Old Jewry, London.—Petition filed Nov. 26.

WILLIAM HARKNETT, Courland-grove, Larkhall-lane, Clapham, and Lavender-hill, Wandsworth-road, Surrey, builder, dealer and chapman, Dec. 11 at 1, and Jan. 14 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Young & Son, 29, Mark-lane, City.—Petition filed Nov. 19.

JOSEPH CURL, East Winch, Norfolk, grocer and flour seller, dealer and chapman, Dec. 11 at half-past 1, and Jan. 14 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Pillans, Swaffham, Norfolk; Lawrance & Piewis, Old Jewry-chambers.—Petition filed Nov. 11.

ROBERT JOHN WALLIS, Loughborough, Leicestershire, wine and spirit merchant, dealer and chapman, Dec. 13 and Jan. 10 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Chesshire, Birmingham; Shaen & Grant, Kennington-cross, London.—Petition dated Nov. 20.

ANN GRAVES, Snaith, Yorkshire, innkeeper, dealer and chapwoman, Dec. 19 and Jan. 17 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Bond & Barwick, Leeds.—Petition dated and filed Nov. 19.

CHRISTOPHER WARE, York, saddler and harness maker, dealer and chapman, Dec. 19 and Jan. 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Harle & Clarke, Leeds.—Petition dated Nov. 22; filed Nov. 25.

THOMAS DYSON, Bradford, Yorkshire, linendraper, dealer and chapman, Dec. 13 at 11, and Jan. 3 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Sale & Co., Manchester.—Petition filed Nov. 25.

MEETINGS.

John Jones, Brynmawr, Llanelli, Breconshire, coal merchant, Dec. 10 at 11, District Court of Bankruptcy, Bristol, pr. d.—*James Taylor*, Rochdale, Lancashire, cotton spinner, Dec. 11 at 11, District Court of Bankruptcy, Manchester, last ex.—*John T. Bransford*, Titchborne-street and Great Windmill-street, Westminster, Middlesex, china dealer, Dec. 17 at 2, Court of Bankruptcy, London, and. ac.—*William Pike*, Reading, Berkshire, tobaccoist, Dec. 13 at 12, Court of Bankruptcy, London, and. ac.—*J. Savill*, St. Neot's, Huntingdonshire, draper, Dec. 13 at 11, Court of Bankruptcy, London, and. ac.—*J. Seelie*, Freeschool-street, Horsleydown, Southwark, Surrey, restorer, Dec. 13 at 2, Court of Bankruptcy, London, and. ac.; Dec. 23 at 2, div.—*F. Vines*, Greenwich, Kent, and *Theo. Kitaloe*, Chesham, Buckinghamshire, millers, Dec. 13 at 11, Court of Bankruptcy, London, and. ac.—*John Hill* the younger, Malmesbury, Wiltshire, innkeeper, Dec. 12 at 12, District Court of Bankruptcy, Bristol, and. ac.; Dec. 24 at 12, div.—*John I. Grylls*, Pontardulais, Wm. Studds, Llanelli, Carmarthenshire, and *R. B. Cousins*, York-square, Stepney, Middlesex, engineers, Dec. 12 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Thomas Clarke*, Newport, Monmouthshire, grocer, Dec. 20 at 11, District Court of Bankruptcy, Bristol, and. ac.—*George Watson*, Gateshead, Durham, bookseller, Dec. 17 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*J. Thompson*, Wigton, Cumberland, grocer, Dec. 17 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Wm. Maury*, Liverpool, merchant, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*G. Hoskins*, Preston, Lancashire, merchant, Dec. 12 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*J. La Guerrande*, Liverpool, merchant, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*T. B. Bourne*, Liverpool, cotton broker, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, and. ac.; Dec. 20 at 11, div.—*Theo. Maygarey*, Love-lane, Billingsgate, London, coal merchant, Dec. 20 at 11, Court of Bankruptcy, London, div.

—*Thomas King* the elder, Orchard-place East, Greenwich, Kent, baker, Dec. 20 at half-past 11, Court of Bankruptcy, London, div.—*Thos. Lyon* and *Edw. Lyon*, Birchin-lane, London, bill brokers, Dec. 21 at 11, Court of Bankruptcy, London, div. sep. est. of *Thomas Lyon*; at half-past 11, div. joint est.—*Samuel Mark Halfhide*, Chesham, Hertfordshire, linendraper, Dec. 21 at half-past 12, Court of Bankruptcy, London, div.—*John Marshall*, Birchin-lane, London, merchant, Dec. 21 at 12, Court of Bankruptcy, London, div.—*Chas. Gerlich*, Charterhouse-square, Middlesex, Manchester warehouseman, Dec. 21 at half-past 12, Court of Bankruptcy, London, div.—*Frederick Kerr*, Harley-st., Marylebone; Pentraethell, Shropshire; and *Peter's-terrace*, Hammersmith, Middlesex, bookseller, Dec. 21 at 12, Court of Bankruptcy, London, div.—*Robert Howe Gould*, Strand, Middlesex, ice merchant, Dec. 23 at 2, Court of Bankruptcy, London, div.—*Abraham Solomons*, Basinghall-st., London, merchant, Dec. 24 at 11, Court of Bankruptcy, London, div.—*Thos. Clarke*, Newport, Monmouthshire, grocer, Dec. 30 at 11, District Court of Bankruptcy, Bristol, div.—*James Pugh*, Monmouth, Monmouthshire, tailor, Dec. 24 at 12, District Court of Bankruptcy, Bristol, div.—*W. Miller* and *A. Miller*, Liverpool and Bootle, Lancashire, wine merchants, Dec. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*Francis Blanchard* and *Wm. Passmore*, Leeds, Yorkshire, tailors, Dec. 20 at 11, District Court of Bankruptcy, Leeds, div. sep. est. of *Wm. Passmore*.—*Elizabeth Green*, Spring Mill and Crossland Moor, Almondsbury, Yorkshire, common brewer, Dec. 20 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Joseph Samuel Hodge and *James Culpin*, New Oxford-st., Middlesex, tailors, Dec. 20 at 2, Court of Bankruptcy, London.—*Daniel Radford* and *Ged Southall*, Gracechurch-street, London, coal merchants, Dec. 20 at 12, Court of Bankruptcy, London.—*Wm. Woods*, Devonshire-road, Wandsworth-road, Surrey, builder, Dec. 21 at half-past 11, Court of Bankruptcy, London.—*Henry Hart Davis*, Doddington Lodge, Battersea, Surrey, builder, Dec. 21 at 11, Court of Bankruptcy, London.—*Thomas Bradley*, Ranelagh-road, Pimlico, Middlesex, land refiner, Dec. 21 at 1, Court of Bankruptcy, London.—*Richd. Batterby*, Liverpool, ironfounder, Dec. 27 at 11, District Court of Bankruptcy, Liverpool.—*James Robinson*, Ripon, Yorkshire, surgeon, Dec. 20 at 11, District Court of Bankruptcy, Leeds.—*W. Harding*, Crawford-st., St. Marylebone, Middlesex, corn dealer, Dec. 21 at 11, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

Arthur Slaigh, Bedford-st., Strand, Middlesex, printer.—*John Francis Knebel*, Bolton-row, Piccadilly, Middlesex, wine merchant.—*Samuel Dumas*, Deptford, Kent, draper.—*James Killick*, Dorking, Surrey, carpenter.—*Wm. Childers* the younger, Montpelier-place, Brompton, Middlesex, builder.—*James Toovey*, Watford, Hertfordshire, innkeeper.—*Richard Copland*, Union-st., Whitechapel, Middlesex, linendraper.—*Joseph Nash*, Reigate and Dorking, Surrey, banker.—*Owen Gray*, Great Tower-st., London, builder.

SCOTCH SEQUESTRATIONS.

Wm. Callender, Woodburn, near Falkirk, farmer.—*Thos. Duncan*, sen., Esq., deceased, Edinburgh.—*Andrew Cair*, Tain, Ross-shire, shoemaker.—*Mowbray & Mc Glashan*, Edinburgh, commission agents.—*Alexander Taylor*, Alva, Stirlingshire, manufacturer.—*John McIntosh*, Drummond, Kiltarn, Ross-shire, innkeeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Dixon, Kingston-upon-Hull, out of business, Dec. 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*John Sargent*, Llangynider, Brecknockshire, victualler, Dec. 7 at 10, County Court of Brecknockshire, at Crickhowell.—*Thomas Abbott Evans*, Witham, Essex, cabinet maker, Dec. 17 at 12, County Court of Essex, at Maldon.—*Catherine Lynn*, widow, St. Helen's, Lancashire, greengrocer, Dec. 11 at 11, County Court of Lancashire, at St. Helen's.—*John Powell*, Llanhamlach, Brecknockshire, innkeeper, Dec. 6 at 10, County Court of Brecknockshire, at Brecknock.—*James Cooper*, Goldhanger, Essex, wheelwright, Dec. 17 at 12,

County Court of Essex, at Maldon.—*Daniel Ray*, Lavenham, Suffolk, ironmonger, Dec. 20 at 11, County Court of Suffolk, at Sudbury.—*Richard Pannell*, Emsbott, Southampton, armer, Dec. 13 at 11, County Court of Hampshire, at Petersfield.—*Thomas Morgan*, Cwmrondda, Lanwonno, Glamorganshire, brickmaker, Dec. 9 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*James Smith*, Birmingham, miller, Dec. 21 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Grestores*, Birmingham, gun finisher, Dec. 21 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Goodhead*, Aston-manor, Aston, near Birmingham, out of business, Dec. 21 at 11, County Court of Warwickshire, at Birmingham.—*Samuel Bayliss*, Birmingham, licensed victualler, Dec. 21 at 11, County Court of Warwickshire, at Birmingham.—*Lancelot Newton*, Hexham, Northumberland, market gardener, Dec. 21 at 2, County Court of Northumberland, at Hexham.—*Michael Hodgson*, Hexham, Northumberland, hairdresser, Dec. 21 at 2, County Court of Northumberland, at Hexham.—*Robert Laws*, King's Norton, Worcestershire, haberdasher, Dec. 7 at 11, County Court of Warwickshire, at Birmingham.—*John Rowell*, Acom-mill, St. John se, near Hexham, Northumberland, miller, Dec. 21 at 2, County Court of Northumberland, at Hexham.—*John Bell* be younger, Newcastle-upon-Tyne, waiter, Dec. 19 at 10, County Court of Northumberland, at Newcastle.—*John Coners*, Newcastle-upon-Tyne, waiter at the public baths, Dec. 19 at 10, County Court of Northumberland, at Newcastle.—*James Grayer*, West Wellow, Wiltshire, cattle dealer, Dec. 21 at 11, County Court of Hampshire, at Romsey.—*Geo. Kell*, Newcastle-upon-Tyne, builder, Dec. 19 at 10, County Court of Northumberland, at Newcastle.—*William Oakley*, Birmingham, butcher, Dec. 21 at 11, County Court of Warwickshire, at Birmingham.—*John Wynn*, Burleigh-lodge, Minchinhampton, Gloucestershire, commission agent, Dec. 18 at 10, County Court of Gloucestershire, at Stroud.—*James Fraser*, Newcastle-upon-Tyne, plumber, Dec. 19 at 10, County Court of Northumberland, at Newcastle.—*William Charles Bull*, East Cowes, Isle of Wight, Southampton, labourer, Dec. 19 at 10, County Court of Hampshire, at Newport.—*John Mortick Daniell*, Dumpton-hall, St. Peter's, Isle of Thanet, Kent, nonconformist minister, Dec. 21 at 11, County Court of Warwickshire, at Birmingham.—*Benjamin Dennes*, Ventnor, Isle of Wight, Southampton, car driver, Dec. 19 at 10, County Court of Hampshire, at Newport.—*George Rayner*, Cambridge, carter, Dec. 18 at 10, County Court of Cambridgeshire, at Cambridge.—*Robert Gordon* the younger, Bishopwearmouth, Durham, assistant tailor, Dec. 18 at 10, County Court of Durham, at Sunderland.—*George Downes*, Tillingham, Essex, urmer, Dec. 17 at 12, County Court of Essex, at Maldon.—*Charles Pestell Harris*, Birmingham, japanner, Dec. 21 at 1, County Court of Warwickshire, at Birmingham.—*Edwin Pinfy*, Birmingham, stage-carriage conductor, Dec. 21 at 11, County Court of Warwickshire, at Birmingham.—*Jacob Hands*, Birmingham, malleable iron caster, Dec. 7 at 11, County Court of Warwickshire, at Birmingham.—*John Brownesword*, Edgbaston, Warwickshire, blacksmith, Dec. 21 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Stephenson*, Durham, publican, Dec. 19 at 10, County Court of Durham, at Durham.—*William Bennett*, Tunbridge Wells, Kent, fly driver, Dec. 12 at 10, County Court of Kent, at Tunbridge Wells.—*James Peters*, Wednesbury, Staffordshire, retailer of ale, Dec. 4 at 2, County Court of Staffordshire, at Oldbury.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 13 at 10, before Mr. Commissioner LAW.

John F. Parker, Little Compton-street, Soho, Middlesex, working silversmith.

Dec. 14 at 11, before Mr. Commissioner PHILLIPS.

Mary Browne, Paradise-row, Islington-green, Islington, Middlesex, perfumer.—*Wm. Pope*, Waddon-marsh, Thornton-leath, Croydon, Surrey, market gardener.—*G. Richards*, Jolly-street, North Dalston, Middlesex, traveller for a glove warehouse.—*John Collins*, Crescent-place, Bridge-st., Black-lars, London, attorney-at-law.

Dec. 16 at 10, before Mr. Commissioner LAW.

Frederick Horne, Rose-cottage, Denmark-road, Cold Harbour-lane, Lambeth, Surrey, keeper of lunatics.—*R. Russell*, Colebrook-row, Islington, Middlesex, collector to a wholesale egg merchant.

Dec. 16 at 11, before Mr. Commissioner PHILLIPS.

Wm. Hill, Upper North-street, Poplar, Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 14 at 11, before Mr. Commissioner PHILLIPS.

James Cruikshank Barton, Regent-place, Commercial-road, Limehouse, Middlesex, master mariner.—*Thomas W. Brown*, Stoney-st., Borough, Southwark, Surrey, clerk in the General Register and Record-office for Seamen.—*John Underwood*, Murray-st., New North-road, Middlesex, merchant's clerk.

Dec. 16 at 11, before the CHIEF COMMISSIONER.

John William Wright, St. George's-place, High-street, Camberwell, Surrey, barman to a licensed victualler.

Dec. 16 at 10, before Mr. Commissioner LAW.

George E. Jones, Princes-st., Chelsea, Middlesex, surgeon.—*Ebeneszer Shorey*, Maidstone-st., Hackney-road, Middlesex, brass finisher.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, Dec. 14.

Thomas Greaves, Kingston-upon-Hull, attorney.

At the County Court of Lincolnshire, at LINCOLN, Dec. 12.

John Beck, Spalding, agricultural machine maker.

At the County Court of Devonshire, at EXETER, Dec. 14 at 10.

Wm. Ireland, Bradninch, innkeeper.

MEETINGS.

Edward Hollis, Princes-court, Gravel-lane, Union-street, Surrey, out of business, Dec. 16 at 1, Grange Tavern, Casey-street, Lincoln's-inn-fields, sp. aff.—*Wm. Briggs*, Stockton-on-Tees, Durham, out of business, Dec. 17 at 11, Woolpack Inn, Gainsborough, Lincolnshire, sp. aff.—*John Barlett*, Bath, Somersetshire, butcher, Dec. 11 at 10, Court-house, Portugal-street, Lincoln's-inn-fields, London, pr. d.

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LONDON, DECEMBER 7, 1850.

IN the present article we propose to consider the important decision of Lord Brougham in *Upfill's case*, (14 Jur., part 1, p. 843). The effect of the judgment may be briefly stated to be this—that a provisional committeeman of an unformed company, which is afterwards abandoned, renders himself liable as a contributory, simply by accepting shares which have been allotted to him in his character of such committeeman.

The definition of a "contributory" will be found in the 3rd section of stat. 11 & 12 Vict. c. 45. It includes "every member of a company, and every other person liable to contribute to the payment of any of the debts, liabilities, or losses thereof;" and, by the same section, the word "member" signifies "any person entitled to a share of the assets or accruing profits of any such company at the time of presenting the petition." From these definitions, and the provisions generally of the Winding-up Acts*, it is probable that the Legislature sought to comprehend within their operation many persons who would not have been liable, in an action at law, to the debts of the company. By judicial interpretation, however, the legal has been made the measure of the equitable liability; (see *Cottle's case*, 14 Jur., part 1, pp. 453, 655, 703); and the questions, whether a party would be charged as defendant in an action brought in respect of such debts, and whether he is chargeable as a contributory, have, upon the facts hitherto submitted to the Courts, been treated as identical†.

* 11 & 12 Vict. c. 45, is amended by 12 & 13 Vict. c. 108.

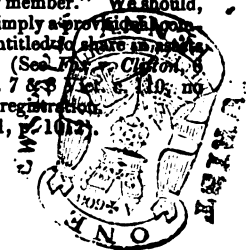
† We say upon the facts hitherto submitted, because we are not aware of a case where a company, being wound up, has had assets or profits, as such, for a member to share in, so as to

It would follow from this view, as indeed it has been expressly decided, that neither a provisional committeeman nor an allottee, simply as such, is a contributory. (As to committeemen, see *Ex parte Carmichael*, 14 Jur., part 1, p. 1014; *Cottle's case*, supra; *Reynell v. Lewis*, 15 M. & W. 517; *Wylde v. Hopkins*, Ib.; *Barber v. Stead*, 3 C. B. 946; *Wilson v. Holden*, 12 Jur., part 1, p. 84; and *Cooke v. Tonkin*, 9 Q. B. 936. As to allottees, see *Ex parte Maudslay*, 14 Jur., part 1, p. 1012; *Woolmer v. Toby*, 10 Q. B. 691; *Walstab v. Spottiswoode*, 15 M. & W. 501; and *Fox v. Clifton*, 6 Bing. 776).

The question, then, comes to this—whether the union of the two characters renders a person liable as contributory. Lord Brougham decides that it has this effect, and this is the foundation of his judgment in *Upfill's case*. "I presume the principle of that decision," said Rolfe, V. C., on a recent occasion*, "is, that when a provisional committeeman accepts shares in that character, he must thereby be taken to have given authority to the other members of the provisional committee to incur expenses on his account in forming the company. I confess," adds his Lordship, "that I have great difficulty in understanding the principle; but of course I bow to the authority, and shall be guided by it in cases where the facts are similar." Lord Brougham (delivering judgment in *Upfill's case*) expressly stated, that it appeared to him impossible to avoid the inference, that a person who accepted shares in the joint-

raise a question upon the definition of "member." We should, however, suppose that a person who is simply a provisional committeeman, or allottee, would not be entitled to share in the assets or profits of an unformed company. (See *Fox v. Clifton*, 6 Bing. 776). And by sect. 23 of stat. 7 & 8 Vict. c. 110, no profits could be made before complete registration.

* *Maudslay's case*, (14 Jur., part 1, p. 1012).



stock of a concern which he knew was at least preparing to carry on operations, with the view of gaining profit, must be understood to be doing an act which entitled him, eventually at least, to share in the gains, and that he thus must be taken to give an implied authority to his companions on the committee to pledge his credit, so far as his rateable proportion goes, in the capital of the joint-stock, for the necessary expenses of the committee in preparing to launch the common concern.

It is obvious that this reasoning would apply equally to the position of an allottee, if the word "promoters" be substituted for "companions;" and yet an allottee would not be held liable.

We confess to the difficulty felt by Rolfe, V. C., in understanding the principle of *Upfill's case*; for it appears to amount to this—that two non-liabilities create one liability. The committeeman, qua committeeman, is not liable for preliminary expenses: the acceptance of the allotment by him appears to amount only to an assent to be a partner in the company when formed; thus resembling an acceptance by a stranger; and we do not see any reason why it should afford evidence of authority in the one case and not in the other. Such acceptance is not like active interference in the company's affairs, by attending meetings, paying some of the debts, and the like. There a management and superintendence are exercised, and the party may be supposed to constitute his companions his agents for incurring expenses, of which he is presumed to be cognisant. It is reasonable that the liabilities should fall on those who take an actual part in the concern; and "when persons meet to prepare the measures necessary for calling the society into existence, attendance on such meeting, and concurrence in such measures, may be strong evidence that any individual then present, and taking part in the proceedings, held himself out as a paymaster to all who executed their orders." (Per Curiam, in *Lake v. The Duke of Argyll*, 6 Q. B. 478). Such acts are properly admitted as evidence of implied authority, because there is a natural connexion between the proof which is tendered and that which is to be proved; but the mere fact of accepting an allotment of shares, being nothing more than a consent to be a partner at a future time, when certain conditions are performed, is not connected, naturally or legally, with a sanction to incur expenses before such conditions are performed; neither cognisance of debts being contracted, nor actual interference, nor delegation of powers to an agent, can be inferred from it. In the absence of any special agreement, not even deposits paid upon an allotment are to be applied to the expenses of forming the company. (See *Moore v. Garwood*, in error, 19 L. J., Ex., 15). We are not aware of any case in which the acceptance of a share in an unformed company has been tendered as evidence of an implied authority for the contracting of debts by co-committeemen, although it must have been frequently available, as, by the 7 & 8 Vict. c. 110, ss. 4, 28, each promoter of a company must consent to take one share at least in the proposed undertaking; and it is well known to have been the practice to allot a certain number of shares to provisional committeemen. If *Upfill's case*, however, be upheld, as it must

be in all tribunals except the House of Lords, many persons, hitherto considered exempt, will now be held liable, even in actions at law, upon the ground, that by accepting an allotment of shares, they impliedly authorised their brother committeemen to pledge their credit for the debts of the company.

Correspondence.

TO THE EDITOR OF "THE JURIST."

Sir,—The Commissioners of Inland Revenue still use the old denoting stamp, "ad valorem duty paid," and have no other die for a denoting stamp. In the new Stamp Act, under the head "Duplicate or Counterpart," there is a proviso, as to any duplicate deed or instrument requiring the 5s. duplicate stamp, that "the duplicate or counterpart shall not be available unless stamped with a particular stamp, for denoting or testifying the payment of the full and proper stamp-duty on the original deed or instrument." It may be advisable to call attention to the very perceptible question, whether a duplicate having a 5s. stamp and the present denoting stamp will be available if the original instrument require a 36s. stamp, (more than the ad valorem duty on the present scale); and perhaps the Commissioners may have a new die for denoting "full and proper duty paid."

I am, Sir,
Your obedient servant,
A SOLICITOR.

Reprints.

A Selection of Leading Cases in Equity, with Notes. Vol. 2. By OWEN DAVIES TUDOR, of the Middle Temple, Esq., Barrister at Law.

[William Maxwell, 1850.]

This is the second and concluding volume of the work, of the first volume of which, by Messrs. White & Tudor, we gave an account in a former number, (13 Jur., part 2, p. 330). It is considerably more bulky than its predecessor, and contains the following leading cases:—

Agar v. Fairfax—Partition.
Aldrich v. Cooper—Marshalling.
Ashburner v. Macquire—Specific legacy—Ademption.
Basset v. Nosworthy—Purchase for valuable consideration without notice.
Blandy v. Widmore—Performance of a covenant to leave a sum of money by allowing a sum to devolve by intestacy.
Brice v. Stokes—Liability of a trustee for the receipts of his co-trustee.
Casborne v. Scarfe—Nature of equity of redemption if an estate in land.
Chancey's case—Satisfaction of a debt by a legacy.
Eyre (Mr. Justice) v. Shaftesbury (Countess of)—Infants—Ward of Court—Guardian and ward.
Harding v. Glyn—Power in the nature of a trust.
Hooley v. Hatton—Repetition of legacies—When legacies are cumulative.
Howard v. Harris—Restrictions on redemption of mortgage discountenanced in equity—Mortgage cannot be made irredeemable.
Howe v. Dartmouth (Earl of)—Conversion of residue bequeathed to persons in succession.
Huguenin v. Baseley—Voluntary settlement obtained by agent—Undue influence.
Huntingdon (Earl of) v. Huntingdon (Countess of)—Mortgage of wife's estate of inheritance for the benefit of her husband—Wife's estate considered only as a surety.

- Le Neve v. Le Neve*—Notice.
Oxford's (Earl of) case—Jurisdiction of equity as to proceedings at law.
Peachy v. Somerset (Duke of)—Penalties and forfeitures, when relieved against in equity.
Penn v. Baltimore (Lord)—Power of Court of equity over property out of its jurisdiction, by a decree in personam.
Pye, Ex parte—Satisfaction of a legacy by a portion—Ademption.
Rees v. Berrington—Release of surety by the creditor giving time to debtor.
Robinson v. Pett—No allowance to an executor or trustee for his care or trouble.
Row v. Dawson—Chose in action assignable in equity.
Ryall v. Rowles—Assignment of debts without notice to debtor invalid against assignees in bankruptcy.
Scott v. Tyler—Conditions in restraint of marriage—Public policy.
Seton v. Slade—Specific performance with compensation.
Silk v. Prime—Equitable assets.
Sloan v. Walter—Penalty, when relieved against.
Stapilton v. Stapilton—Compromise—Family arrangement.
Talbot (Sir John) v. Sharnesbury (Earl of)—Satisfaction of a debt by a legacy.
Thornbrough v. Baker—Executor of mortgagee in fee entitled to money secured on mortgage.
Townley v. Sherborne—Liability for a co-trustee.
Wake v. Congers—Confusion of boundaries.
Warmistrey v. Tunfield (Lady)—Possibility assignable in equity.
Wilcocks v. Wilcocks—Performance of a covenant to purchase and settle an estate.
Woolam v. Hearn—Distinction between seeking and resisting specific performance as to the admission of evidence.

The notes to the cases in this volume possess very much the same merits as distinguished those in the first volume. They display similar learning and ability, and are written with that attention to combine clearness with great condensation, to place the result of a vast number of cases at once concisely and clearly before the practitioner, which is peculiarly required in such a work, and which we noticed as characterising the notes of the former volume.

This volume contains the case of *Huguenin v. Baseley*, (14 Ves. 273), in which Sir Samuel Romilly made the reply, which is referred to by Lord Brougham, in his Historical Sketches of Statesmen of the Time of George III, in the following words:—"The reply, even as reported in 11 Ves. jun., [14 Ves. 273], in the cause of *Hugonin v. Beasley**, where legal matters chiefly were in question, may give no mean idea of his extraordinary powers." We give the concluding passage of it:—

"But though this Court disclaims any such jurisdiction, yet, where a gift is immoderate, bears no proportion to the circumstances of the giver, where no reason appears, or the reason given is falsified, and the giver is a weak man, liable to be imposed upon, this Court will look upon such a gift with a very jealous eye, and very strictly examine the conduct of the persons in whose favour it is made; and if it sees that any arts or stratagems, or any undue means have been used—if it sees the least speck of imposition at the bottom, or that the donor is in such a situation with

'respect to the donee as may naturally give an undue influence over him—if there be the least scintilla of fraud—this Court will and ought to interpose; and by the exertion of such a jurisdiction, they are so far from infringing the right of alienation, which is the inseparable incident of property, that they act upon the principle of securing the full, ample, and unimpeded enjoyment of it.

"The ground, as between guardian and ward, is put upon the danger either of inducing guardians to flatter the passions of their wards, or of the improper exercise of their authority; as the relation of husband and wife is guarded from the effects both of indulgence and severity.

"If this reasoning has any weight, does not the principle apply with infinitely greater force to the present case? What is the authority of a guardian, or even parental authority—what are the means of influence, by severity or indulgence, in such a relation, compared with the power of religious impressions under the ascendancy of a spiritual adviser, with such an engine to work upon the passions; to excite superstitious fears or pious hopes; to inspire, as the object may be best promoted, despair or confidence; to alarm the conscience by the horrors of eternal misery, or support the drooping spirits by unfolding the prospect of eternal happiness: that good or evil which is never to end? What are all other means to these? Are inferior considerations to have so much effect, and is no regard to be given to the most powerful motive that can actuate the human mind? Though no direct authority is produced, your Lordship, dispensing justice by the same rule as your predecessors, upon such a subject, not confined within the narrow limits of precedent, will, as a new relation appears, look into the principles that govern the human heart; and decide, in a case far the strongest that has yet occurred, upon this ground alone, from its infinite importance to the community."

The following is part of Mr. Tudor's note on this case:—

"*Huguenin v. Baseley* is a leading case on the very salutary jurisdiction of equity to set aside, upon the principle of general public policy, voluntary donations obtained by persons standing in some confidential, fiduciary, or other relation towards the donor, in which dominion may be exercised over him. Sir Samuel Romilly, in his celebrated reply in the principal case, most ably argues, that undue influence, exerted by means of spiritual ascendancy, comes within the principle on which relief had been granted, in the case of a gift from a child or ward to a parent or guardian; but he, and the other counsel, and the Lord Chancellor, were evidently not aware of *Norton v. Rolly*—a decision of Lord Northington's, since reported in 2 Eden, 286, in which a grant of an annuity obtained by a dissenting minister, having a spiritual ascendancy over a woman under a state of religious delusion, was set aside upon principles of public policy.

"In *Huguenin v. Baseley* the donation was set aside, it seems, not merely on the ground of the spiritual ascendancy and undue influence obtained by the defendant over the mind of the plaintiff, Mrs. Huguenin, but also on the ground of his having abused the confidence placed in him by her, as an agent managing her affairs.

"The principle upon which Courts of equity set aside such donations has been so accurately stated by Sir Samuel Romilly in his argument, that Lord Cottenham, in the case of *Dent v. Bennett*, fully adopted it. 'The relief,' observes his Lordship, 'as Sir Samuel Romilly says in his celebrated reply in *Huguenin v. Baseley*, (from the hearing of which I received so

* "A case very nearly resembling this, *Macabe v. Hussey*, was argued in the House of Lords in October, 1831, by Mr. O'Connell, and his argument was a masterpiece, according to the judgment of those who heard it."—*Notes by Lord Brougham*.

'much pleasure, that the recollection of it has not been diminished by the lapse of more than thirty years)—the relief stands upon a general principle, applying to all the variety of relations in which dominion may be exercised by one person over another.' (4 My. & C. 277).

"Before entering further into the consideration of the subject of this note, it may be as well to mention that the case of *Villers v. Beaumont*, (1 Vern. 100), as is correctly observed in the argument for the defendant in the principal case, clearly establishes the rule, that, in the case of a stranger—that is to say, a person not standing in any confidential or fiduciary relation towards the donor—equity will not set aside a voluntary deed or donation, however improvident it may be, if it be free from the imputation of fraud, surprise, undue influence, and spontaneously executed or made by the donor with his eyes open. And it is equally clear, that in all cases where it has been proved that a mere stranger, connected with the donor by no peculiar or fiduciary relation from which undue influence can be inferred, has, either by fraud, surprise, or undue influence, obtained from him a voluntary donation, a Court of equity will at once set it aside. In such cases, however, the proof of fraud, surprise, or undue influence is completely thrown upon the donor, for, *prima facie*, the donation is valid. (*Hunter v. Atkins*, 3 My. & K. 113).

"In the present note, however, it is proposed to consider, first, that class of cases in which actual proof of undue influence may not be required, but will, upon grounds of public policy, be more readily presumed from the peculiar relation subsisting between parties.

"First, as to the relation of parent and child, Courts of equity, although there is no very great evidence of undue influence, will always look with a jealous eye upon donations from a child to a parent, especially where the child has just come of age, and will set them aside if any advantage has been taken by means of the exercise of parental authority. (*Cocking v. Pratt*, 1 Ves. 401). In *Carpenter v. Herriot*, (1 Eden, 338), where a father, having advanced a child in his infancy, upon his coming of age took a bond from him to a greater amount than the sums advanced, and which it appears the son was totally unable to pay, Lord Keeper Henley held that the bond was obtained by parental influence, and decreed that it should not stand as a security for the sums advanced, but be set aside altogether. 'If,' said his Lordship, 'a bond be given with advice and deliberation, this Court will not set it aside for the obligor; but if a man gives a voluntary bond for more than he is able to pay, the transaction speaks weakness on the one side, and a sort of imposition on the other.' (See also *Blunden v. Barker*, 1 P. Wms. 639; *Young v. Peachy*, 2 Atk. 254, 258; *Glissen v. Ogden*, cited 2 Atk. 258; *Hawes v. Wyatt*, 3 Bro. C. C. 156; *Heron v. Heron*, 2 Atk. 167; S. C., nom. *Herne v. Herne*, Barnard. 430).

"The same principles are applicable to a person obtaining a voluntary gift, who has put himself in loco parentis towards the donor. Thus, in the case of *Archer v. Hudson*, (7 Beav. 551), a niece, two months after she came of age, and after her guardians had fully accounted to her, entered into a voluntary security for her uncle, by whom she had been brought up, and who was considered by the Court as standing in loco parentis. Lord Langdale, M. R., set aside the security. 'Nobody,' observed his Lordship, 'has ever asserted that there cannot be a pecuniary transaction between a parent and child, the child being of age; but everybody will affirm in this court, that, if there be a pecuniary transaction between parent and child just after the child attains the age of twenty-one

years, and prior to what may be called a complete emancipation, without any benefit moving to the child, the presumption is, that an undue influence has been exercised to procure that liability on the part of the child; and that it is the business and the duty of the party who endeavours to maintain such a transaction to shew that that presumption is adequately rebutted; and that it may be adequately rebutted is perfectly clear. This Court does not interfere to prevent an act even of bounty between parent and child, but it will take care (under the circumstances in which the parent and child are placed before the emancipation of the child) that such child is placed in such a position as will enable him to form an entirely free and unfettered judgment, independent altogether of any sort of control.' And see *Revett v. Harvey*, (1 Sim. & S. 502). But if the transaction is reasonable, and entered into with good faith, equity will not interfere, as in *Blackborn v. Edgley*, (1 P. Wms. 600, 606), where a son in plentiful circumstances gave his father a bond to pay him an annuity of 120*l.* for his life. Lord Macclesfield held, that, as it appeared to have been the free act of the son, and what he thought himself obliged in honour to do, and there being no proof to impeach it, it ought not to be set aside in equity. So, it seems, if a father prevail upon a son, tenant in tail under a settlement, to take an estate for life only, with remainder to his first and every other son, the transaction will not be set aside upon the suggestion of the father's having an undue influence over him. (*Tendril v. Smith*, 2 Atk. 86)."

The comparative merits of law and equity have of late engaged considerable attention and discussion. Without entering here into the other merits of that important question, we may remark, that while the Courts of equity have exhibited few examples which, like that quoted above from the argument of Sir Samuel Romilly in *Huguenin v. Baseley*, have approached in eloquence the forensic achievements of Erskine and a few others in the courts of law, on the other hand the Courts of law have produced few, if any, judicial displays of combined depth of learning and power of ratiocination which can be compared with some of the great judgments of Lords Hardwicke and Cottenham, Sir William Grant, and Sir Thomas Plumer. And we may also remark, that, with the exception of Lord Hardwicke, (the greatest, indeed, of them all), who, like one of the ablest of the present equity judges, was educated on both sides of Westminster Hall, all these great equity judges have been formed in the courts of equity, and not in the courts of law. It is observable also, that almost all Lord Hardwicke's great judgments were delivered when he presided in the court of equity. To attempt to trace completely the causes of these phenomena would far exceed our present object and limits; but we are inclined to think that one conclusion, at least, that may be drawn fairly from them is this—that whatever changes may be contemplated in our present English system of jurisprudence, such a change as would tend to swallow up equity, and leave only law, as it at present exists and operates in England, would be very far from attaining the end of doing complete justice in the more complicated questions of property that arise in the present state of English society. Whatever superiority the law practitioners and the law judges may possess over the equity practitioners and the equity judges in the dispatch of certain kinds of business, there can hardly exist a doubt, that questions of property, involving a vast variety of nice and complicated points, and requiring for their solution a proportionate amount of profound legal learning, and of long and unwearied mental labour and acuteness, could not be solved at all with any degree of accuracy and completeness, and consequently with any approach to the fulfilment of the ends of justice, without the practised

skill and the long trained habits of careful and laborious investigation which are the result of the elaborate special education of the equity practitioners and the equity judges. But whatever amendment, by assimilation or otherwise, our legal and equitable systems, or either of them, may be capable of, it cannot be doubted, that, in the present state of the practice of the English law, the appointment of a common-law practitioner to preside in the English courts of equity is not likely either to promote the interests of the suitors or to advance the law as a science.

Court Papers.

EQUITY CAUSE LISTS, AFTER MICHAELMAS TERM, 1860.

** The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*Sh.* Short.

Before Vice-Chancellor KNIGHT BRUCE, at Lincoln's Inn.

Chilton v. Brough (E, F D, part heard)	Delarue v. Church	Wamsley v. Rawlins (F D)	Hill v. Parker (Cl)
Evans (pauper) v. Nicholls (D)	Lock v. Lomas	Lyon v. Wood	Scott v. Ellett
Same v. Evans (D)	Smith v. Constant (Cl)	Payne v. Robertson (Cl)	Martindale v. Hayton (F D)
Douglas v. Douglas (E)	Brook v. Biddall (Cl)	Manson v. Hunt (Cl)	Ringrose v. Fewster
Routledge v. Gibson (F D)	Hutchins v. Hutchins	Smith v. Thorne	Gregory v. Neison (Cl)
Gibbon v. Fletcher	Nowell v. Beaumont (Cl)	Kingsford v. Ball	Moore v. Rimmer (Cl)
Towne v. Davis	Fenwick v. Fenwick	Livesey v. Leicester (F D)	Mendham v. Durrant (Cl)
Walker v. Gay	Playford v. Monro	Tillett v. Leake	Allsop v. Sturgis (Cl)
Oldfield v. Ash (E, insufficiency)	Harrison v. Goodall (F D)	May v. Brocksopp (Cl)	Basham v. Hopkins
Shortridge v. Bosanquet (E, insufficiency)	Huakinson v. Bridge (F D)	Brian v. Hodgkins (Cl)	Jones v. Price
Prendergast v. Lushington (E)	Fenwick v. Fenwick	Thomas v. Parker (Cl)	Cross v. Sprigg (Rehearing)
Same v. Same (F D)	Langham v. Langham (Cl)	Howard v. Evans	Skerratt v. Goodall (2 Cls)
Eyton v. Mostyn	Barstow v. Hallifax	Jackson v. Graham	Moss v. Moss (Cl)
Keedwell v. Cook	Harris v. Aldridge	Chubb v. Pargeter	Winnall v. Henney (Cl)
Bass v. Wellstead (E)	Ballingall v. Jones	Thomas v. Vignoles (Cl)	Moore v. Robinson (Cl)
Russell v. Marshall (F D)	Underhill v. Merry	Alcock v. Duncan (Cl)	Pawsey v. Barnes (Cl)
Geller v. Geller	Hughes v. Stable (F D)	Collingwood v. Sitwell (F D)	Law v. Law (F D)
Cutts v. Salmon	Crosse v. Allom (Cl)	Evans v. Summers	Wright v. Warren (E, F D)
Sproule v. Tilsley	Cambay v. Draper	Needham v. Carpenter (Cl)	Knight v. Vickers
Brown v. Heavens	Phillipson v. Gatty (F D)	Goodall v. Skerratt (2 Cls)	Cook v. Lovelein (Cl)
Hutchinson v. Teychenne (E, F D)	Morrison v. Hoppe (F D)	Cann v. Prowse (Cl)	Mayne v. Hooke (Cl)
Philps v. Evans (F D)	Green v. Green (F D)	Witherden v. Merceron (Cl)	Bland v. Humphreys (Cl)
Haggard v. Smith	Beeby v. Grainge	Strickland v. Strickland (F D)	Bellamy v. Morritt
Seymour v. Hamilton (E, F D)	Ware v. Mallard (F D)	Chambre v. Maude (Cl)	Nichols v. Hedge
French v. Slade (F D, Ptn)	Lane v. Green (F D)	Surfleet v. Kennington (Cl)	Parsons v. Dingle (Cl)
Porter v. Smith	Foster v. Skelmerdine	Bessant v. Noble (Cl)	Harvey v. Palmer (Cl)
Wheler v. Eastern Counties Railway Co.	Crafton v. Frith (F D)	Toon v. Cotterell (Cl)	Moore v. Moore (Cl)
Felton v. Cox	Haigh v. Jagger (3 causes)	Brown v. Foster (Cl)	Bosworth v. Stocker (Cl)
Cochran v. Davies	Hyder v. Coleman (F D)	Pooley v. Lloyd (Cl)	Harry v. Stephens (Cl)
Barry v. Collins (2 causes)	Parnell v. Porter	Metcalfe v. Mitchell (Cl)	Savery v. Surr (E)
Harvey v. Bull	Vaughan v. Harries	Cook v. Wright (F D)	Gurney v. Duckett
Prove v. Young	Hallen v. Lloyd (Cl)	Holmer v. Eastern Counties Railway Co.	Bensusan v. Nehemias (F D)
Russell v. Mutlow	Ayre v. Williams (Cl)	Hayward v. Stephens (F D)	Norton v. Hepworth (E)
Weston v. Wilson (F D)	Hyde v. Auriol (Cause, Ptn)	Thomas v. Thomas (F D)	Inge v. Birmingham and Oxford Junction Railway Co. (Cl)
Mott v. Lee	Lazarus v. Colbeck (F D)	Sadler v. Lovegrove (Cl)	Petrie v. Fothergill (Cl)
Lowett v. Stirling (F D)	Craven v. Binks	Middleton v. Losh	Clemenson v. Hardy (F D)
Morgan v. Morgan	Kirkby v. Platee (E, F D)	Bray v. Gill (Cl)	Farquhar v. Addington
Bradney v. Yorke (F D)	Page v. Dewdney	Dearlove v. Sambell (Cl)	Dawkins v. Rose
Saxer v. Leamouth (F D, Ptn)	Pemberton v. French (F D)	Roakes v. Upperton	Hemming v. Harvey (Cl)
Alexander v. Osborn (F D)	Matchett v. Palmer (F D)	Dobson v. Turner (Cl)	Pownall v. Durkin (Cl)
Iervey v. Hewitt (F D)	Dew v. Dew	Eddowes v. Eddowes (Cl)	Cocks v. Bush (Cl)
Wroden v. South-eastern Railway Co. (E)	Cursham v. Campbell (Cl)	Williams v. Jones SA	Griffiths v. Poll (Cl)
Iorne v. Webster	Hanbury v. Knowles	Abbott v. Swarder	Kendrick v. Pocock
Orshaw v. Batten	Hawkes v. Eastern Counties Railway Co. (E, F D)	Sugden v. Browne (F D)	Bathurst v. Ravensdale (Cl)
Aughan v. Burrows (Cl)	Dicken v. Ward (E, F D)	Radcliffe v. Carter (F D)	Barnes v. Brookhouse (Cl)
	White v. Vernon	Dawson v. Oldham (Cl)	Cornwall v. Davies (Cl)
	Vernon v. Ecclesiastical Commissioners for England	Jones v. Yarranton (Cl)	Shippie v. Dewey (2 Cls)
	King v. King (Cl)	Meakin v. Meakin (Cl)	Forshaw v. Rae (Cl)
	Cockburn v. Green (Cl)	Hunt v. Birmingham and Oxford Railway Co. (Cl)	Crick v. Babbs (Cl)
	Topping v. Howard (F D)	Henning v. Mayo	Ridding v. Cook (Cl)
		Doveton v. Bevan	Attenborough v. Richardson (Cl)
		Ware v. Watson	Davis v. Evans
		Wyke v. Rogers (F D)	Leathart v. Thorne SA
		Randall v. Hall (E)	Goldstone v. Phillott (Cl)
		Vincent v. Bishop of Sodor and Man (F D)	Bowyer v. Phillips (Cl)
		Smeed v. Smeed (Cl)	Attorney-Gen. v. Sammers
		Merry v. M'Entagart (Cl)	Francis v. French (Cl)
		Hemming v. Smith	Postlethwaite v. Tilsley (Cl)
		Langton v. Guger (Cl)	Flatow v. Delasane (Cl)
		Hughes v. Higginson (Cl)	Moginie v. Stuart
		Carpenter v. Rowden (Cl)	Davis v. Strutt
		Baily v. Brookhouse (Cl)	Great Western Railway Co. v. Bowyer
		Wright v. Bratt (Cl)	Gillies v. Longlands (F D)
		Tucker v. Ibbotson (Cl)	Dufaur v. Dufaur
		Pymmer v. Holland (Cl)	Stebbing v. Summers (Cl)
		Jackson v. Murthwaite (Cl)	Ade v. Downs (Cl)
		Napper v. Dendy	Story v. Johnson (F D)
		Woodford v. Woodford (Cl)	Ridler v. Yearsley
		Rose v. Smith (Cl)	Hawkes v. Mossop (Cl)
		Higgin v. Lane	Stebbing v. Sandle (Cl)
		Garratt v. Chalmers	Clarke v. Thompson (Cl)
		Claplin v. Howell (F D)	Martyr v. Kirby (Cl)
		Massey v. Hare	Gaunt v. Salisbury (Cl)
		Woodhead v. Turner	Longstaff v. Rennison (F D)
		Clarkson v. Curphey (Cl)	Singleton v. Balmer
		Strong v. Anstey (Cl)	Brown v. Freeman (Cl)
		Ward v. Manchester, Sheffield, &c. Railway Co. (Cl)	Shardlow v. Gace (Cl)

Wilson v. Peacock (Cl)
 Handley v. Lewis (Cl)
 Lewin v. Kellett
 Oldnall v. Smith (2 causes)
 Humphries v. Freedy
 Sankey v. Sayer (Cl)
 Perry v. Lane (Cl)
 Clarke v. Day (Cl)
 Brown v. Saunders (Cl)
 Gordon v. Statham (Cl)
 Sweeting v. Allnutt
 Rust v. Allnutt
 Fenner v. Bogg
 Whitfield v. Parfitt
 Leach v. Baker (E, F D)
 Close v. Close
 King v. Welch
 Milner v. Wakefield (Cl)
 Cath v. Gold (Cl)
 Oppenheim v. Henry (Cl)
 Peak (pauper) v. Peak
 Dickenson v. Bainbridge SA
 Freedy v. Bedington (Cl)
 Cain v. Harcourt (Cl)
 Goodchild v. Territt (F D)
 Westcott v. Cary
 Gregory v. Atkinson (Cl)
 Horn v. Nightingale (Cl)
 Lovitt v. Kelsey (Cl)
 Gabriel v. Ralston (Cl)
 Nash v. Hutt (Cl)
 Day v. Everitt (Cl)
 Rackham v. Cooper (Cl)
 Oppenheim v. Henry (Cl)
 Doyle v. Collins
 Heale v. Knight (Cl)
 Stanhope v. Haggitt (Cl)
 Moresby v. Higgins (Cl)
 Elworthy v. Seymour (Cl) SA
 Sharman v. Egar (Cl)
 Gould v. Robertson (Cl)
 Theobald v. Elliott (Cl)
 Braithwaite v. Hutchinson (Cl)
 Humble v. Cooper (Cl)
 Thompson v. Bird (Cl)
 Hart v. Goldsmid (Cl) SA
 Drury v. Merivale
 Ashton v. Lord Langdale (E, 4 sets)
 Same v. Same (F D)
 Spink v. Hutton (Cl)
 Pulleine v. Sturgis (Cl)
 Williams v. Thompson (Cl)
 Heather v. Dixon (Cl)
 Cooper v. Miller (Cl)
 Mills v. Mills (Cl)
 Bilham v. Boulton (Cl)
 Marshall v. Bremmer (Cl)
 Noble v. Bigland (Cl)
 Jones v. Birmingham and Oxford Railway Co. (Cl)
 Inge v. Same (Cl)
 Flamanck v. Boord
 Smith v. Richards
 Harrison v. Taylor
 Stannett v. Burrows (Cl)
 Campbell v. Moxhay (Cl)
 Potts v. Thames Haven Dock and Railway Co. (Cl)
 Hills v. Heather (Cl)
 Garden v. Ingram (Cl)
 Needham v. Carpenter (Cl)
 Gawthorn v. Goodale
 Woodgate v. Archerburton (E, F D)
 Cooper v. Cooper
 Williamson v. Williamson (Cl)
 Carne v. Curtis (Cl)
 Guest v. Clay (Cl)
 Terry v. Nettleton (Cl)
 Farand v. Lloyd (Cl)

Johns v. Mason (Cl)
 Taylor v. Robinson
 Jackson v. Eason (Cl)
 Goffe v. Edmunds (Cl)
 Clarke v. Fox (Cl)
 Sims v. Wilde (Cl)
 Fox v. Daly (Cl)
 Staley v. Wright (Cl)
 Wood v. Lund
 Walker v. Bentley
 Squire v. Ford
 Bradbury v. Broadhead
 Yeats v. M'Intosh
 Wright v. Moore
 Pike v. Barber
 Kearshaw v. Brearly
 Heap v. Tonge
 Cartmale v. Proffit
 Field v. Hastings
 Broughton v. Ward
 Billson v. Owen
 Fores v. Richardson
 Luntley v. Hoby
 North Stafford Railway Co. v. Wheildon
 Chadwick v. Maden
 Simpson v. Sheppard (Cl)
 Dyott v. Lester (Cl)
 Litchfield v. Watkins (Cl)
 Low v. Rawlings
 Scott v. Wilson
 Radcliffe v. Salmon (Cl)
 Heaps v. Leadman
 Berwick v. Thompson (Cl)
 Greaves v. Greaves (Cl)
 Illingworth v. Cooke
 Pearson v. Rutter
 Roby v. Roby (Cl)
 Schiller v. Simpson (Cl)
 Ward v. Cartwright
 Gough v. Gibbs (Cl)
 Pointer v. Hollier (Cl)
 Hull v. Hall (Cl)
 Scorey v. Thompson
 Fordham v. Wallis (2 causes)
 Att.-Gen. v. Great Northern Railway Co.
 Kell v. Horry
 Hart v. Smith (Cl)
 Farrer v. Ellward (Cl) SA
 Ansell v. Penning (Cl)
 Robins v. Hobbs (Cl)
 Clarke v. Allen (Cl)
 Mackey v. Parker (Cl)
 Cater v. Baker (Cl)
 Penny v. Penny (Cl)
 Morter v. Forrest (Cl)
 Louis v. Levinson (Cl)
 Ashford v. Ridley (Cl)
 Maynard v. Higgins
 Toller v. Attwood (F D)
 Perks v. England
 Bottrill v. Arnold (Cl)
 Craddeok v. Tavenor (Cl)
 Backhurst v. King (Cl)
 Buckingham v. Dunn (Cl)
 Davies v. Pinder (Cl)
 Howard v. Tillet (Cl)
 Phillips v. Goodhart (Cl)
 Sykes v. Gallienne (Cl)
 Baukart v. Crafton (Cl)
 Howard v. Howard (Cl)
 Morrell v. Fisher (F D)
 Johnson v. Freeman (Cl)
 South Devon Railway Co. v. Stevens (Cl)
 Sherwood v. Beveridge (F D)
 Nicholson v. Jeyes (Cl)
 M'Knight v. Carruthers (Cl)
 Goodale v. Webb (Cl)
 Attorney-Gen. v. Johnson (Cl)

Mules v. Cohart (Cl)
 Spickernell v. Hotham (Cl)
 Smith v. Park (Cl)
 Cooper v. Knox (Cl)
 Martin v. Hadlow (Cl)
 Stone v. Thompson (F D)
 Leeming v. Leeming (F D)
 Smithman v. Weaver (Cl)
 Morse v. Sutton (Cl)
 Blunt v. Hoskins (Cl)
 Pearse v. Bryant (Cl)
 Pollock v. Sturgis (Cl) SA
 Griffith v. Smith (Cl)
 Southam v. Richardson (Cl)
 Gate v. Mandell (Cl) SA
 Kimber v. Ensworth (F D)
 Bridges v. Mawe (Cl)
 Mitchelsen v. Jackson
 Smart v. Smart (Cl)
 Mumford v. Smith (Cl)
 Hanson v. Gamer (Cl)
 Thompson v. Milbourn (Cl)
 Paine v. Dunmore (Cl)
 Dutton v. Colston
 Pittman v. King
 Pearson v. Robinson (F D, 7 causes)
 Chamberlain v. Hughes (Cl)
 Mastern v. Page (Cl)
 Tingey v. Pigott
 Devey v. Thornton
 Kempson v. Kempson (Cl)

Before Vice-Chancellor Rolfe, at Lincoln's Inn.

Jones v. Bell (E as to insuff.)
 Balguy v. Broadhurst (E as to insufficiency)
 Goode v. Waters
 Heath v. Chapman
 Browne v. Paul (F D, C)
 Bower v. Ostler
 Geib v. Dibley
 Simmonds v. Rudall (2 causes)
 Westbrook v. M'Kie (F D)
 Field v. Titmuss
 Brougham v. Squire
 Same v. Witham
 Creswicke v. Parker (F D)
 Long v. Bunny (F D)
 Sawyer v. Mills
 Hedges v. Ewing
 Attorney-Gen. v. Bodman
 Usher v. Mould
 Fletcher v. Fletcher
 Willis v. Black (F D, C)
 Underwood v. Jee
 Oakes v. Jones (F D, C)
 Lyne v. Pennell
 Wilkinson v. Leake (F D)
 Mayhew v. Cannan
 Hunt v. Bohn (2 causes)
 Allcock v. Kempson (3 causes)
 Joyce v. Hopkins
 Edgley v. Maslin
 Smithy v. Burrage
 Alpe v. Woodhouse
 Carter v. Barnard (F D)
 Knight v. Knight (2 causes)
 Beasley v. Wilson
 Eyre v. Jones (F D, C)
 Peace v. Hains
 Bridges v. Hinxman (E)
 Mitchell v. Cobb
 Myers v. Watson
 Martin v. Welstead (F D)
 Belcher v. Lockey (F D)
 Flint v. Warren (F D)
 Earl of Derby v. Chamberlayne
 Wilson v. Wilson
 Taylor v. Reid (F D)

Finney v. Mackintosh (Cl)
 Rice v. Watkins (Cl)
 Burt v. Westbrook (Cl)
 Surtees v. Woodhouse
 Nottingham v. Mould (Cl)
 Houghton v. Turpin (Cl)
 Goode v. Butler (Cl)
 Hull v. Grimshaw (Cl)
 Sambrook v. Simmons (Cl)
 Webb v. London and Portsmouth Railway Co. (Cl)
 Granger v. Reeves (Cl)
 Barratt v. Barratt (Cl)
 Howarth v. Barton (Cl)
 Judd v. Alderson (Cl)
 Nash v. Ridge (F D)
 Oram v. Redpath (Cl)
 Shaw v. Eiwel
 Egremont v. Egremont SA
 Halden v. Halden (Cl)
 Brennan v. Brennan SA
 Chesterman v. Mann
 Richards v. Richards (Cl)
 Grinley v. Carley (Cl) SA
 Austen v. Chase
 Kilby v. Lawrence (F D)
 Skinner v. Claridge (Cl)
 Wright v. Chaffero (2 causes)
 Robson v. Firth (Cl)
 Thompson v. Empson (F D)
 Willmer v. Kidd (Cl)
 Webb v. Inglish (F D).

Sewell v. Murray (E)
 Roxburgh v. Forster
 Waterhouse v. Trentham
 Fagge v. Sandys
 Wood v. Taylor (2 causes)
 Mills v. Sawyer
 Palmer v. Goren (2 causes)
 Robotham v. Amplett (F D)
 Langham v. Richardson
 Monro v. Proctor
 Humphrey v. Humphrey
 Stilwell v. Mellersh (F D)
 Steel v. Steel
 Smith v. Smith (2 causes)
 Flight v. Camac (E)
 Drake v. Drake (2 causes)
 Bird v. Bird (E, F D)
 Travis v. Newton
 Davis v. Greenlaw
 Navalshaw v. Brownrigg
 Newman v. Warner (E, F D)
 Grover v. Buringham (F D)
 Noble v. Page
 Harcourt v. Seymour (3 causes)
 Matthews v. Venables (F D, Cause)
 Trutch v. Jones
 Coleman v. Smithies (F D)
 Lloyd v. Twining (F D)
 Seymour v. Lord Vernon (4 causes)
 Onslow v. Att.-Gen. (F D)
 Gardner v. Perry
 Adey v. Arnold (F D)
 Pugh v. King
 Nelson v. Hopkins
 Deighton v. Wheeler
 Duchess de Stacpoole v. Lodge (2 causes)
 Alliborne v. Walker (3 causes)
 Fidkin v. Webb (F D)
 Rouse v. Laird (2 causes)
 Walter v. Corpe (F D)
 Lilley v. Medlycott
 Lilley v. Lilley
 Attorney-Gen. v. Andrews

Gibson v. Gibson
 Hancock v. Maxwell (Cl)
 Galland v. Watson (Cl)
 Lord v. Weightwick (E, Cl)
 Prendergast v. Moore
 Society for the Enlargement
 of Chapels and Churches v.
 Barlow
 Jones v. Morrall (F D)
 Bickford v. Bickford (E)
 Jewell v. Monypenny
 Bohn v. Bohn (F D)
 Walsh v. Trevanion (F D)
 Johnson v. Farris (Cl)
 Miles v. Durnford
 Arden v. Thompson
 Whitwell v. Vipan (Cl)
 Same v. Same (Cl)
 East v. Twyford
 Birch v. Joy (E)
 Bray v. Gray
 Campbell v. Foster (Rehearg.)
 Dec. 2
 Bennett v. Burrell
 Hand v. Wells (Cl)
 Sales v. Pitt
 Jones v. Williams (F D, Ptn)
 Potter v. Potter (Cl)
 Lackstraw v. Meacher (F D,
 Ptn)
 Winkfield v. Ashby
 Sawyer v. Mills (3 causes)
 Bethane v. Leggatt (F D)
 Thorold v. Bailey (Cause, Ptn)
 Bleakey v. Bleakey
 Forbes v. Kemshead
 Pierce v. Griffith (F D)
 Atkinson v. Gylby (E, F D)
 Barker v. Attorney-Gen.
 Longstaff v. Rennison (F D)
 Flood v. Browne
 Bartlett v. Frankum
 Greenway v. Bromfield (F D)
 Arkyn v. Wightwick
 Collett v. Newnham
 Gabriel v. Stratton
 Hardy v. Hull (F D)
 Wordsworth v. Darrell
 Hunter v. Panter
 Barlow v. Lantour
 Bush v. Windey (E, 2 sets)
 Gray & Co. of Berwick-upon-
 Tweed v. Murray
 Blackshaw v. Cox
 Horsfield v. Ashton
 Rollope v. Trollope
 Wayne v. Hanham
 Griffith v. Van Heythuyzen (3
 causes)
 Rime v. Savell
 Alvert v. Sebright (Bk. E)

Middleton v. Middleton (F D)
 Brown v. Barnes
 Spensley v. Wilson
 Frost v. Hilton
 Foster v. Handley (F D)
 Symonds v. Winston (F D)
 Beadon v. King
 West v. Jones
 Lupton v. Thornhill
 Lewis v. Smith (F D)
 Collett v. Morrison (Cl)
 Allen v. Hitchcock
 Williams v. Symons (F D)
 Gurney v. Goggs (F D)
 Freeman v. Lomas
 Cortis v. Nokes (Cl)
 Kennerley v. Kennerley
 Whitworth v. Brogden (3 ca.)
 Putt v. Putt (F D, C)
 Taylor v. Cargill
 Whitwell v. Pratt
 Burchinshaw v. Roberts
 Roxburgh v. Roxburgh (2 ca.)
 Hannaford v. Jay (Cl)
 Bakewell v. Brotherton (Cl)
 Alice Fletcher v. Mulliner (2
 causes)
 Roberts v. Roberts (F D)
 Reid v. Keith } (F D)
 M'Combie v. Same }
 Alook v. Allen
 Dalglish v. Jarvis
 Alice Fletcher v. Moore
 Gregson v. Catterall (Cl)
 Askew v. Millington
 Ball v. Barker (F D)
 Ponchoe v. Bond (Cl)
 Withers v. Birmingham and
 Oxford Junction Railw. Co.
 Gibson v. Adamthwaite (Cl)
 SA
 Thompson v. Tooke
 Moore v. Welham (Cl)
 Oddie v. Tattersall (F D)
 Bewley v. Carver
 Albinson v. Pendlebury
 Aufere v. Hill (E, F D)
 Radford v. Wilson SA
 Bassil v. Lister
 Hull v. Hull
 Treacher v. Heather
 Wright v. Allen (Cl)
 Lincoln v. Windsor
 Hicks v. Deacon (Cl)
 Bromitt v. Moor (Cl)
 Wilkinson v. Fowkes
 Paterson v. Cuel (Cl)
 Alston v. Pyddoke SA
 Vincer v. Powell (Cl)
 Haworth v. Haworth (F D)
 Austin v. Chase.

London Gazette.

TUESDAY, DECEMBER 3.

BANKRUPTS.

HENRY BYSHE, otherwise BISH, Brighton, Sussex, builder,
 Dec. 10 at half-past 1, and Jan. 17 at 1, Court of Bank-
 ruptcy, London: Off. Ass. Graham; Sols. Chalk, Brigh-
 ton; Freeman & Bothamley, 39, Coleman-street, London.
 —Petition filed Nov. 29.

ROBERT RISING, Frith-street, Soho, and Lower Berke-
 ley-street, Middlesex, dealer in casts, and bookseller,
 dealer and chapman, Dec. 10 at 1, and Jan. 17 at 12,
 Court of Bankruptcy, London: Off. Ass. Graham: Sol.
 Flower, 26, Great James-street, Bedford-row.—Petition
 filed Nov. 23.

RICHARD NORTHOVER, Skinner-street, Bishopsgate-
 street, and Cheapside, London, lint manufacturer, dealer
 and chapman, Dec. 10 at half-past 1, and Jan. 21 at 12,
 Court of Bankruptcy, London: Off. Ass. Graham; Sols.
 Reed & Co., 59, Friday-street, Cheapside.—Petition filed
 Dec. 2.

NUMA BERTON, Princes-street, Hanover-square, Middle-
 sex, tailor, Dec. 13 at 11, and Jan. 16 at 12, Court of
 Bankruptcy, London: Off. Ass. Johnson; Sol. Stark,
 Basinghall-street.—Petition dated Oct. 7.

HENRY MATTHEW EAST, Mark-lane, London, stationer
 and commission agent, dealer and chapman, Dec. 30 and
 Jan. 15 at 2, Court of Bankruptcy, London: Off. Ass.
 Groom; Sol. Richardson, 3, Moorgate-street.—Petition
 dated Nov. 27.

WILLIAM HEYGATE, Watford, Northamptonshire, and
 Chardstock, Dorsetshire, brickmaker, Dec. 13 at 12, and
 Jan. 18 at 11, Court of Bankruptcy, London: Off. Ass.
 Pennell; Sols. Becke, Northampton; Low, 65, Chancery-
 lane.—Petition dated Nov. 28.

HENRY SMITH, Hare-street, Woolwich, Kent, linen-
 draper, Dec. 13 at half-past 12, and Jan. 18 at 12, Court
 of Bankruptcy, London: Off. Ass. Pennell; Sol. Lloyd,
 Milk-street, Cheapside, London.—Petition dated Nov. 20.

JOHN MOORE, Nottingham, cabinet maker, dealer and
 chapman, Dec. 20 at 12, and Jan. 24 at 10, District Court
 of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols.
 Freeth & Co., Nottingham; Hopwood & Son, 47, Chan-
 cery-lane, London.—Petition dated Nov. 25.

JAMES SMITH, Darlington, Durham, boot and shoe maker,
 Dec. 13 and Jan. 16 at 11, District Court of Bankruptcy,
 Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Newburn
 & Co., Darlington; Griffith & Crighton, Newcastle-upon-
 Tyne.—Petition filed Nov. 23.

JOHN FIRTH, Leeds, Yorkshire, linendraper, dealer and
 chapman, Dec. 13 and Jan. 24 at 11, District Court of Bank-
 ruptcy, Leeds: Off. Ass. Young; Sol. Middleton, Leeds.
 —Petition dated and filed Nov. 30.

JOHN GOLLOP, Beaminster, Dorsetshire, builder, dealer
 and chapman, Dec. 11 and Jan. 8 at 11, District Court of
 Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Cox, Bea-
 minster; Bishop & Pitts, Exeter.—Petition filed Nov. 25.

SAMUEL PEARSE, Topeham, Devonshire, coal merchant,
 Dec. 11 and Jan. 8 at 11, District Court of Bankruptcy,
 Exeter: Off. Ass. Hirtzel; Sol. Turner, Exeter.—Petition
 filed Dec. 2.

MEETINGS.

Alexander Oliphant Martin, Bridgend, Leeds, Yorkshire,
 stationer, Dec. 13 at 11, District Court of Bankruptcy, Le-
 da, aud. ac.—Robert King, Oxford, coal merchant, Dec. 26 at
 12, Court of Bankruptcy, London, div.—Edw. B. Broughton,
 Southampton-st., Covent-garden, Middlesex, tailor, Dec. 26
 at 11, Court of Bankruptcy, London, div.—James R. Oliver,
 Blackheath, Kent, master mariner, Dec. 24 at 12, Court of
 Bankruptcy, London, fin. div.—John Cowlishaw and James
 Cowlishaw, Derby, railway carriage builders, Dec. 13 at 11,
 District Court of Bankruptcy, Nottingham, aud. ac.; Jan. 10
 at 11, div.—George Hoskins, Preston, Lancashire, merchant,
 Dec. 26 at 11, District Court of Bankruptcy, Liverpool, div.
 —Henry Jas. Hinerman, Bury, Lancashire, apothecary, Dec.
 24 at 12, District Court of Bankruptcy, Manchester, div.—
 James Pierce, Chorley, Lancashire, corn dealer, Dec. 24 at
 12, District Court of Bankruptcy, Manchester, div.

MIDDLE TEMPLE.—The Benchers of the Middle Tem-
 ple request that gentlemen desirous of becoming candi-
 dates for the office of Reader on Jurisprudence and the
 Civil Law, now vacant by the resignation of George
 Lowry, Esq., D.C.L., will address the Treasurer of
 the Middle Temple by letter, to be left at the office of
 the Sub-treasurer, Middle Temple, on or before the
 4th December instant.

The Right Hon. Sir John Jervis, Knt., Lord Chief
 Justice of her Majesty's Court of Common Pleas, has
 appointed the following gentlemen to be Perpetual
 commissioners for taking the acknowledgments of
 oaths to be executed by married women:—Hugh Bea-
 ser Roberts, of Bangor, Carnarvonshire, in and for the
 county of Carnarvon; Edward Oram Gard, of Devon-
 port, in and for the county of Devon.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Robert King, Oxford, coal merchant, Dec. 26 at 12, Court of Bankruptcy, London.—**James M'Monies**, Liverpool, corn merchant, Dec. 26 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Adolphus Woolfrey, Poole, auctioneer.—**Friend Westover**, Lewisham, Kent, cheesemonger.—**John H. Spicer**, Wandsworth, Surrey, papermaker.—**Saml. Hogg**, Landport, Portsea, Hampshire, auctioneer.—**John Jowett** and **Thomas Jowett**, Coventry, Warwickshire, grocers.—**Thos. Broadbent**, Halifax, Yorkshire, draper.—**Wm. W. Thompson**, Goole, Yorkshire, butcher.

PARTNERSHIP DISSOLVED.

David E. Forbes and **Edward Walton**, Warnford-court, London, attornies and solicitors.

SCOTCH SEQUESTRATION.

John M'Lean, Paisley, dyer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edward Wollaston, Brace Meole, Shropshire, out of business, Dec. 17 at 10, County Court of Shropshire, at Shrewsbury.—**William Phillips**, Shrewsbury, Shropshire, grazier, Dec. 20 at 10, County Court of Shropshire, at Shrewsbury.—**James Bower**, Huddersfield, Yorkshire, engineer, Dec. 20 at 10, County Court of Yorkshire, at Huddersfield.—**Samuel Dalton**, Huntingdon, baker, Dec. 20 at 10, County Court of Huntingdonshire, at Huntingdon.—**Rich. Adams**, St. Neot's, Huntingdonshire, clerk of works, Dec. 20 at 8, County Court of Huntingdonshire, at St. Neot's.—**Rich. Smith**, Bedworth, Warwickshire, undertaker for weaving ribbons, Dec. 19 at 11, County Court of Warwickshire, at Nuneaton.—**W. Hardwick**, Pontypool, Trevethin, Monmouthshire, licensed victualler, Dec. 19 at 10, County Court of Monmouthshire, at Pontypool.—**Lake Bradbury**, Colly Croft, near Bedworth, Warwickshire, butcher, Dec. 19 at 11, County Court of Warwickshire, at Nuneaton.—**Joseph Baraclough**, Nuneaton, Warwickshire, sculptor, Dec. 19 at 11, County Court of Warwickshire, at Nuneaton.—**George Lloyd**, Swansea, Glamorganshire, stonemason, Dec. 16 at 10, County Court of Glamorganshire, at Swansea.—**Walter Snow**, Derby, victualler, Dec. 21 at 11, County Court of Derbyshire, at Derby.—**William Edmunds**, Talywain, Trevethin, Monmouthshire, grocer, Dec. 19 at 10, County Court of Monmouthshire, at Pontypool.—**M. Haynes**, Newport, Monmouthshire, seedsman, fruiterer, and florist, Dec. at , County Court of Monmouthshire, at Newport.—**Mary Jenkins**, widow, Trebannog Fawr, Penderin, Brecknockshire, farmer, Dec. 9 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—**Catherine Davies**, widow, Pontysgill, Foothog, Cwmoy, Monmouthshire and Herefordshire, out of business, Dec. 21 at 10, County Court of Monmouthshire, at Abergavenny.—**Wm. Humphrey**, Coventry, Warwickshire, licensed victualler, Dec. 18 at 11, County Court of Warwickshire, at Coventry.—**Jas. Stewart Brown**, Coventry, Warwickshire, builder, Dec. 18 at 11, County Court of Warwickshire, at Coventry.—**Hen. Peters**, Cambridge, cutler, Dec. 18 at 10, County Court of Cambridgeshire, at Cambridge.—**Samuel Southgate**, Cambridge, teacher of dancing, Dec. 18 at 10, County Court of Cambridgeshire, at Cambridge.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 18 at 11, before the CHIEF COMMISSIONER.

James Wadsworth, Hollen-st., Soho, Middlesex, clerk to a woollendrapery.—**Hen. Wm. Hardy**, Howland-street, Fitzroy-square, Middlesex, pianoforte maker.—**Geo. Booth Barritt**, Edward-terrace, Caledonian-road, Islington, Middlesex, clerk

in the Inland Revenue Department, Somerset House.—**J. Burdett**, Hanover-square, Clapham-road, Surrey, machinist.—**Wm. West**, Adam's-place, King's-road, Chelsea, Middlesex, baker.

Dec. 18 at 10, before Mr. Commissioner LAW.

Thomas Grundy, Great Queen-street, Lincoln's-inn-fields, Middlesex, tailor.—**Thos. Elliot**, Argyle-st., New-road, Middlesex, clerk to a horse-hair manufacturer.

Dec. 19 at 11, before the CHIEF COMMISSIONER.

John Jenkins, High-street, Hoxton Old-town, Middlesex, oilman.

Dec. 4 at 10, before Mr. Commissioner LAW.

Thomas Eaton, Clement's-inn, Strand, Middlesex, attorney-at-law.—**Robert Sasby**, Sutton-at-Hone, near Dartford, Kent, miller.

Dec. 4 at 11, before the CHIEF COMMISSIONER.

Thos. Stevens, Portland-place, St. Mark's-road, Kennington, Surrey, house agent.

Dec. 7 at 11, before Mr. Commissioner PHILLIPS.

Alex. J. Adams, Halford-terrace, Penton-place, Kennington-road, Surrey, clerk to one of the heralds, at the Herald's Office, Doctors'-commons, London.

Saturday, Nov. 30.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Com.

Thomas Miltstead, Swan-place, Old Kent-road, Surrey, bricklayer, No. 61,726 T.; **Heaketh Davis Wells**, assignee.—**Joseph Day**, Coventry, Warwickshire, ribbon weaver, No. 72,539 C.; **Henry Barton**, assignee.

Saturday, Nov. 30.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Richard Robertson, Warner-street, New Dover-st., Kent-road, Surrey, cook: in the Debtors Prison for London and Middlesex.—**C. Andrews**, Alderagate-st., London, butcher: in the Debtors Prison for London and Middlesex.—**Howell John Crisp**, Brand-st., Blandford-square, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—**Thos. Moor**, Church-st., Greenwich, Kent, dealer in hay: in the Queen's Prison.—**John Hopkinson**, Cowper-st., City-road, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—**John Read** the elder, Upper Brook-street, Grosvenor-square, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—**Edw. Clark**, College-place, Camden-town, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—**Edwin Thos. Dolby**, Camden-st. North, Camden-town, Middlesex, lithographic artist: in the Debtors Prison for London and Middlesex.—**Jonathan Patten**, Belvedere-road, Lambeth, Surrey, Queen's messenger: in the Debtors Prison for London and Middlesex.—**Andrew Cohen**, Guildford-street, Russell-square, Middlesex, in no profession: in the Queen's Prison.—**Wm. Quarterman**, Cloudeley-square, Islington, Middlesex, and Newgate-st., London, printer: in the Debtors Prison for London and Middlesex.—**Geo. Cotton**, Coventry, Warwickshire, builder: in the Gaol of Coventry.—**Jas. Hethen**, Coventry, Warwickshire, foreman in a cotton factory: in the Gaol of Warwick.—**L. Hepworth**, Bristol, grocer: in the Gaol of Bristol.—**G. Gibson**, Coventry, Warwickshire, licensed victualler: in the Gaol of Coventry.—**C. Noble**, Wymington, near Higham Ferrers, Bedfordshire, publican: in the Gaol of Northampton.—**John Rice**, Chorlton-upon-Medlock, Manchester, coal dealer: in the Gaol of Manchester.—**Robert Aldham**, Leeds, Yorkshire, woollen merchant: in the Gaol of York.—**James Ainsworth**, Liverpool, porter: in the Gaol of Lancaster.—**Thomas Esley**, Clayton West, near Huddersfield, Yorkshire, farmer's servant: in the Gaol of York.—**John Brown**, Birmingham, eating-house keeper: in the Gaol of Coventry.—**John Grundy**, Worsley, near Manchester, bricklayer: in the Gaol of Lancaster.—**James Hird**, Bradford, Yorkshire, linendraper: in the Gaol of York.—**Henry Gwynne Hutchinson**, Bradford, Yorkshire, attorney-at-law: in the Gaol of York.—**William Hayes**, Liverpool, provision dealer: in the Gaol of Lancaster.—**Bernard O'Brien**, Ashton-under-Lyne, Lanc.

hire, tailor: in the Gaol of Lancaster.—*Benjamin Bramham Perkins*, Leeds, Yorkshire, shovel manufacturer: in the Gaol of York.—*Edward Russell*, Snaith, near Selby, Yorkshire, sewer: in the Gaol of York.—*Isaac Ward*, Bildestone, near Iddleigh, Suffolk, shoemaker: in the Gaol of Ipswich.—*Thomas Bell*, Leeds, Yorkshire, poulterer: in the Gaol of York.—*John Brown*, Heaton Norris, Lancashire, agent to a colour manufacturer: in the Gaol of Lancaster.—*Enoch Bulcock*, Clitheroe, Lancashire, farm labourer: in the Gaol of Lancaster.—*William Cock*, Maidstone, Kent, bookbinder: in the Gaol of Maidstone.—*Richard Crossland*, Lindley, near Luddersfield, Yorkshire, woollen-cloth manufacturer: in the Gaol of York.—*Thomas Noble*, Leamington Priors, Warwickshire, jeweller: in the Gaol of Warwick.—*Elizabeth Pudsey*, widow, North Cave, Yorkshire, in no business: in the Gaol of York.—*Thomas Osborne*, Frittenden, Kent, farmer: in the Gaol of Maidstone.—*Francis Moore Welsh*, Yalding, Kent, schoolmaster: in the Gaol of Maidstone.—*William Wood*, Leeds, Yorkshire, shoemaker: in the Gaol of York.—*George Williamson*, Peasholme-green, Yorkshire, bricklayer: in the Gaol of York.—*George Johnson Birley*, Doncaster, Yorkshire, butcher: in the Gaol of York.—*Peter Hays*, Bolton-le-Moors, Lancashire, out of employment: in the Gaol of Lancaster.—*George McKinley Sidebotham*, Stockport, Cheshire, carver and gilder: in the Gaol of Chester.—*John Taylor*, Ashton-under-Lyne, Lancashire, out of employment: in the Gaol of Lancaster.—*James Clarke*, Liverpool, pork butcher: in the Gaol of Lancaster.—*John Smith*, Liverpool, boarding-house keeper: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 18 at 10, before Mr. Commissioner LAW.

William Holmes, Edward-street, Wardour-street, and Swallow-street, Piccadilly, Middlesex, hairdresser.

Dec. 19 at 11, before the CHIEF COMMISSIONER.

John Cobb, Frith-street, Soho, Middlesex, attorney-at-law.—*Edward Foster*, Salisbury-lane, Bermondsey-wall, Bermondsey, Surrey, not in any trade.—*Pierre Surand*, Great Pulteney-street, Golden-square, Middlesex, shoemaker.

Dec. 19 at 11, before Mr. Commissioner PHILLIPS.

Charles Osborne, Manchester-street, Gray's-inn-road, Middlesex, grocer.—*Frederick Williams Cobb*, Oxford-court, Cannon-street, London, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at MANCHESTER, Dec. 16.

George Monham, Pendleton, near Manchester, commercial traveller.—*John Rice*, Chorlton-upon-Medlock, Manchester, shoemaker.

At the County Court of Shropshire, at SHREWSBURY, Dec. 17 at 10.

Thos. Holbrook, Bagley, Hordley, farmer.—*Thos. Massey*, Hinton, Nesccliffe, farm bailiff.

At the County Court of Wiltshire, at SALISBURY, Dec. 18 at 1.

Edward Rogers, New Swindon, surgeon.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, Dec. 19 at 10.

George Wilson, Newcastle-upon-Tyne, eating-house keeper.

At the County Court of Warwickshire, at COVENTRY, Dec. 18.

Geo. Gibson, West or Chard, Coventry, licensed victualler.—*James Hatton*, Coventry, foreman in a cotton factory.—*George Cotton*, Coventry, builder.—*Geo. Richards*, Birmingham, plumber.—*William Mellor*, Aston, out of business.—*Thomas Watts*, Birmingham, out of business.

At the County Court of Derbyshire, at DERBY, Dec. 21 at 11.

Thomas Vickers, Summerwood, Dronfield, labourer.

INSOLVENT DEBTOR'S DIVIDEND.

Mrs. James Churchill, deceased, Poole, Nov. 7, at Rawlins's, Wimborne Minster, Dorsetshire: $\frac{1}{4}$ d. in the pound.

FRIDAY, DECEMBER 6.

BANKRUPTS.

ANTONINO GUISEPPE GAUDIANO and **EURICO CICOPIERE ST. CLAIR**, (trading under the firm of H. G. Gaudiano & Co.), Great St. Helen's, London, merchants, Dec. 14 at 1, and Jan. 18 at half-past 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Smythe, 22, John-street, Bedford-row.—Petition dated Nov. 23.

RICHARD GREEN the younger, Brighton, Sussex, ironmonger, dealer and chapman, Dec. 13 at 1, and Feb. 1 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Tayler, Birmingham; Faithful, Brighton; Spinks, 39, Great James-street, Bedford-row.—Petition dated Nov. 18.

WILLIAM SOLOMON COWPER, Bishopsgate-street Without, London, and New-street, Dorset-square, Middlesex, grocer, dealer and chapman, Dec. 16 at half-past 1, and Jan. 24 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Messrs. Linklater, 1, Charlotte-row, Mansion-house.—Petition filed Dec. 6.

JAMES CARTER, Manchester-terrace, Kilburn, and Upton-villas, Kilburn, Middlesex, builder, Dec. 16 and Jan. 21 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrance & Plews, 14, Old Jewry-chambers, City.—Petition filed Dec. 3.

WILLIAM STANTON, Buckingham, watch and clock maker, jeweller, silversmith, and stationer, dealer and chapman, Dec. 13 and Jan. 14 at half-past 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. King, Buckingham; Kennedy, 100, Chancery-lane.—Petition filed Dec. 5.

ABRAHAM PROVOST, Peterborough, linendraper, dealer and chapman, Dec. 13 at 12, and Jan. 14 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Jones, Mark-lane.—Petition dated Nov. 30.

JOSEPH HARPER, formerly of Harper-place, Vauxhall-bridge-road, and late of Ponsonby-place, Vauxhall-bridge-road, Middlesex, coal merchant, dealer and chapman, Dec. 13 at half-past 11, and Jan. 16 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Smith, 5, New-inn.—Petition filed Nov. 22.

JOHN CURD, late of High-street, Camden-town, but now residing at George-street, Camden-town, Middlesex, cheesemonger, dealer and chapman, Dec. 13 at 11, and Jan. 14 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Lloyd, 5, Bloomsbury-square.—Petition dated Dec. 3.

HERBERT TEWSON BAINES, Camden-road, Camden New-town, Middlesex, linendraper, dealer and chapman, Dec. 19 and Jan. 17 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Hardwick & Co., 22, Basinghall-street.—Petition filed Dec. 2.

MARY ANN COLLINSON, Middle-road, Brixton, Surrey, milliner, dealer and chapwoman, Dec. 9 at 2, and Jan. 17 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Lawrance & Plews, Old Jewry-chambers, Old Jewry.—Petition filed Nov. 30.

THOMAS DAVEY, Liskeard, Cornwall, seedsman, dealer and chapman, Dec. 18 and Jan. 15 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sol. Terrell, Exeter.—Petition filed Nov. 25.

JOHN DAVIES, Kington, Herefordshire, mercer and draper, Dec. 19 and Jan. 16 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Pugh, Hay, Brecknockshire; Chaplin & Co., Birmingham.—Petition dated Nov. 20.

FREDERICK GEALE MONSARRAT, Cheltenham, Gloucestershire, wine and spirit merchant, Dec. 21 and Jan. 21 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hut-ton; Sols. Boodle, Cheltenham; Washbourn, Gloucester; Abbot & Lucas, Bristol.—Petition filed Dec. 4.

GEORGE BLAKEY, Lincoln, dealer in perfumery, jewellery, and fancy articles, dealer and chapman, Dec. 18 and Jan. 15 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Harle & Clarke, Leeds; Goddard, King-street, Cheapside, London.—Petition dated Nov. 12.

JAMES JOLLEY and **WILLIAM JACKSON**, Wigan, Lancashire, acetic acid manufacturers and copartners, Dec. 24 and Jan. 14 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Gaskell, Bolton, Lancashire.—Petition filed Nov. 29.

RICHARD KAYE, Liverpool, butcher, Dec. 19 and Jan. 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Bremner, Liverpool.—Petition filed Dec. 2.

MEETINGS.

Joseph Jardine, Dartford, Kent, linendraper, Dec. 19 at 12, Court of Bankruptcy, London, pr. d.—*George Byford*, Liverpool, grocer, Dec. 17 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*Charles Stephens*, Milton next Gravesend, Kent, builder, Dec. 20 at 11, Court of Bankruptcy, London, last ex.—*Charles Garlick*, Charterhouse-square, Middlesex, Manchester warehouseman, Dec. 18 at 11, Court of Bankruptcy, London, and. ac.—*Wm. Claridge*, High-st., Bromley St. Leonard, Middlesex, butcher, Dec. 18 at half-past 11, Court of Bankruptcy, London, and. ac.—*Samuel Mark Halfhide*, Cheshunt, Hertfordshire, linendraper, Dec. 18 at 1, Court of Bankruptcy, London, and. ac.—*Gaven Morton*, New-road, Whitechapel-road, Middlesex, draper, Dec. 18 at half-past 11, Court of Bankruptcy, London, and. ac.—*Chas. Bunyard*, Mark-lane, London, seedsman, Dec. 18 at 11, Court of Bankruptcy, London, and. ac.—*Thomas Lyon* and *Edward Lyon*, Birchin-lane, London, bill brokers, Dec. 19 at half-past 11, Court of Bankruptcy, London, and. ac.—*Jonathan Steele*, Plough-road, Deptford, Kent, tar manufacturer, Dec. 18 at 12, Court of Bankruptcy, London, and. ac.—*Thomas Binckes*, Brunswick-place, Blackheath, Kent, dealer in Berlin wools, Dec. 18 at 1, Court of Bankruptcy, London, and. ac.—*John Marshall*, Birchin-lane, London, merchant, Dec. 19 at 12, Court of Bankruptcy, London, and. ac.—*Thos. Bradley*, Ranelagh-road, Fimlico, Middlesex, lard refiner, Dec. 21 at 1, Court of Bankruptcy, London, and. ac.—*Fredk. Kerr*, Harley-st., St. Marylebone, Middlesex; Pentraheilen, Shropshire; and Peter's-terrace, Hammersmith, Middlesex, bookseller, Dec. 19 at half-past 11, Court of Bankruptcy, London, and. ac.—*Hen. Pooley*, Wisbeach St. Peter's, Cambridgeshire, carpenter, Dec. 18 at 12, Court of Bankruptcy, London, and. ac.—*Wm. Ford*, High Holborn, Middlesex, haberdasher, Dec. 26 at 2, Court of Bankruptcy, London, and. ac.—*T. Wesley*, Newport Pagnel, Buckinghamshire, hotel keeper, Dec. 17 at 1, Court of Bankruptcy, London, and. ac.—*Robert Turner*, Worthing, Sussex, draper, Dec. 17 at 12, Court of Bankruptcy, London, and. ac.—*Henry James Hinman*, Bury, Lancashire, apothecary, Dec. 17 at 12, District Court of Bankruptcy, Manchester, and. ac.—*James Pierce*, Chorley, Lancashire, corn dealer, Dec. 17 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Thos. Bazendale*, Bolton-le-Moors, Lancashire, grocer, Dec. 19 at 12, District Court of Bankruptcy, Manchester, and. ac.—*John George Thomson*, Manchester, agent, Dec. 20 at 11, District Court of Bankruptcy, Manchester, and. ac.—*Nath. Hedge*, Bath, silversmith, Dec. 19 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Francis Blanchard* and *Wm. Passmore*, Leeds, Yorkshire, tailors, Dec. 19 at 11, District Court of Bankruptcy, Leeds, and. ac. sep. est. of *Wm. Passmore*.—*Thos. Fielding*, Rhyll, Flintshire, hotel keeper, Dec. 19 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*W. Miller* and *A. Miller*, Liverpool and Bootle, Lancashire, wine merchants, Dec. 19 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*George Price*, Merthyr Tydvil, Glamorganshire, innkeeper, Jan. 10 at half-past 11, District Court of Bankruptcy, Bristol, div.—*T. Bazendale*, Bolton-le-Moors, Lancashire, grocer, Jan. 9 at 12, District Court of Bankruptcy, Manchester, div.—*Wm. Lucas*, Preston, Lancashire, innkeeper, Dec. 16 at 12, District Court of Bankruptcy, Manchester, first and fin. div.—*William Bates*, Tithby, Nottinghamshire, horse dealer, Jan. 10 at half-past 10, District Court of Bankruptcy, Nottingham, div.—*Henry Clark*, Leicester, cabinet maker, Jan. 10 at , District Court of Bankruptcy, Nottingham, fin. div.—*Alexander Oliphant Martin*, Bridgend, Leeds, Yorkshire, stationer, Jan. 16 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Henry W. Farrow, Old Fish-st., London, wine merchant, Jan. 2 at 11, Court of Bankruptcy, London.—*Andrew Little*, York, draper, Jan. 14 at 11, District Court of Bankruptcy, Leeds.—*John Ings*, Henley-in-Arden, Warwickshire, surgeon, Jan. 6 at 10, District Court of Bankruptcy, Birmingham.—*Thomas Wren*, Preston, Lancashire, sharebroker, Jan. 7 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Michael James Moses, Houndsditch, London, importer of foreign goods.—*Joseph Turner*, Eastbourne, Sussex, draper.—*Edward Round* and *William Round*, Tipton, Staffordshire, timber merchants.—*Edward P. Simmonds*, Highgate, near Birmingham, commercial traveller.—*Sarah Day*, Coventry, ribbon manufacturer.—*Mary Bakewell*, Manchester, size manufacturer.

SCOTCH SEQUESTRATIONS.

Walter Black, Hamilton, miller.—*William Moffat & Co.*, Edinburgh, druggists.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Ralph Broadhurst, Hanley, Staffordshire, hatter, Dec. 19 at 10, County Court of Staffordshire, at Hanley.—*John Andrews*, Bristol, in no business, Dec. 18 at 11, County Court of Gloucestershire, at Bristol.—*William Nichols*, Clevedon, Somersetshire, baker, Dec. 18 at 11, County Court of Gloucestershire, at Bristol.—*George Taylor*, Horsham, Sussex, carpenter, Dec. 23 at 12, County Court of Sussex, at Horsham.—*John Clark*, Warwick, cooper, Dec. 16 at 2, County Court of Warwickshire, at Warwick.—*Thomas Davies*, Aberystwyth, Carmarthenshire, farm bailiff, Dec. 20 at 10, County Court of Monmouthshire, at Tredegar.—*W. Machell*, Sheerness, Minster, Isle of Sheppy, Kent, carpenter, Dec. 15 at 10, County Court of Kent, at Sheerness.—*Joseph Mason*, Cheetham, Manchester, joiner, Dec. 16 at 11, County Court of Lancashire, at Manchester.—*Ambrose Will*, Millbrook, Southampton, baker, Dec. 20 at 10, County Court of Hampshire, at Southampton.—*John Booty*, Thetford, Norfolk, plumber, Dec. 24 at 2, County Court of Norfolk, at Thetford.—*Thomas Smith*, Bebbington, Cheshire, out of business, Dec. 13 at 10, County Court of Cheshire, at Birkenhead.—*Edward Black*, Birkenhead, Cheshire, attorney-at-law, Dec. 13 at 10, County Court of Cheshire, at Birkenhead.—*James Bradsher*, Southampton, tailor, Dec. 20 at 10, County Court of Hampshire, at Southampton.—*Wm. Leeder*, Halesworth, Suffolk, out of business, Dec. 18 at 2, County Court of Suffolk, at Halesworth.—*Thomas Booth*, Gargrave, Yorkshire, miller, Dec. 20 at 10, County Court of Yorkshire, at Skipton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 11 at 11, before the CHIEF COMMISSIONER.

Wm. H. Murrill, Poultry, London, lithographic printer.

Dec. 20 at 10, before Mr. Commissioner LAW.

Robert Morgan, Bermondsey-square, Bermondsey, Surrey, half-pay lieutenant in the Navy.

Dec. 21 at 11, before Mr. Commissioner PHILLIPS.

Henry Wilson, Fore-street, Edmonton, Middlesex, hatter.—*Richard Hudson*, Windsor-terrace, Vauxhall-bridge-road, Middlesex, oil and colour man.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 21 at 11, before Mr. Commissioner PHILLIPS.

Saint Thomas Baker, Manor-place North, King's-road, Chelsea, Middlesex, manufacturer of improved hot water apparatus.

Dec. 23 at 11, before the CHIEF COMMISSIONER.

Rich. Robertson, Warner-street, New Dover-street, Lambeth, Surrey, cook to a pastry cook.—*Richard Thompson*, Smithfield-bars, Smithfield, London, assistant to a eating-house keeper.

Dec. 23 at 10, before Mr. Commissioner LAW.

John H. Hulse, Cowper-street, City-road, Middlesex, cabinet maker.—*W. Jenkins*, Middle Queen's-buildings, Brompton, Middlesex, parliamentary agent.—*George G. Lawrence*, Compton-terrace, Upper-street, Islington, Middlesex, articled clerk to an attorney.—*Charles Andrews*, Aldersgate-street, London, out of business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Richard Webster, Liverpool, cart owner, No. 73,052; H. Banner, assignee.—Richard Hargreaves, Liverpool, book-keeper, No. 73,032; Thomas Latham, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Dec. 20 at 11.

Abraham Bayley, Manchester, out of business.—J. Taylor, Ashton-under-Lyne, out of business.—John Smith, Liverpool, steward of a steam-boat.—Catherine Evans, Liverpool, licensed victualler.—J. Tattersall, Salford, provision dealer.—John Grundy, Worsley, near Manchester, bricklayer.—John Hughes, Manchester, retail dealer in ale.—John Brown, Beaton Norris, colour manufacturer.—Michael M'Donnell, Liverpool, licensed victualler.—Enock Bulcock, Clitheroe, farm labourer.—John Thompson, Liverpool, lodging-house keeper.—John Prosser, Manchester, labourer.—Robert Lee, Lancaster, wheelwright.—Bernard O'Brian, Ashton-under-Lyne, tailor.—George Howarth, Liverpool, retail coal dealer.—Robert Aldersey, Liverpool, assistant in spirit vaults.—T. G. Smith, Oxtou, near Liverpool, wine merchant.—P. Heys, Bolton-le-Moors, out of business.

At the County Court of Warwickshire, at WARWICK, Dec. 23.

Thos. Noble, Leamington-priors, jeweller.—W. Swadkin, Warwick, out of business.

At the County Court of Yorkshire, at YORK CASTLE, Dec. 21 at 10.

Wm. Brear, Purston, near Wakefield, out of business.—James Dobson, Rothwell, near Leeds, colliery proprietor.—Richard Wright, Keighley, woollsorter.—Jos. Atks, Walton, near Wakefield, out of business.—Robert Addyman, Leeds, out of business.—George Lambert, Manningham, near Bradford, out of business.—Benj. B. Perkins, Leeds, out of business.—Christopher Edmondson, Addingham, near Skipton, overlooker.—Emanuel Midgley, Leeds, out of business.—J. Robinson, Morley, near Leeds, cloth weaver.—R. Crosland, Lindley, near Huddersfield, woollen spinner.—Thomas Bell, Leeds, out of business.—George Williamson, York, bricklayer.—Ells. Pudsey, widow, North Cave, in no trade.—G. J. Birley, Doncaster, out of business.—Thomas Esley, Clayton West, near Huddersfield, farmer's servant.—James Hird, Bradford, out of business.—Henry G. Hutchinson, Bradford, attorney-at-law.

MEETING.

Margaret Rees, widow, Cilwngfach, Llanelly, Carmarthenshire, Dec. 21 at 11, Court-house, Portugal-street, Lincoln's-inn-fields, London, pr. d.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—William Nicholas Bragg, of Okehampton, Devonshire; Thomas Hugh Peake, of Worcester; George Searle Richards, of Birmingham; David Crawford, of Edinburgh; Edwin John Hayes, of Wolverhampton; John Edyvean, of Camelford, Cornwall; John Yeats, of Aberdeen, North Britain; William Nathaniel Fraser, of Edinburgh.

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LONDON, DECEMBER 14, 1850.

A CASE has been very recently decided by Vice-Chancellor Knight Bruce, (*Ollendorf v. Black*, Dec. 9, 1850*), which, at first sight, would appear to contradict some of the cases decided by Lord Cottenham upon the rule to be followed in granting or withholding injunctions; but, upon closer examination, we apprehend it will be found that the Vice-Chancellor's decision is quite consistent with those cases.

The bill in *Ollendorf v. Black* was by a foreigner, claiming copyright in a work composed by himself; and on a motion for an injunction to restrain infringement by the defendant, the short point was, whether the plaintiff could, as an alien, sustain his title under the Copyright Act. The only difference between this case and *Boosey v. Purday*, (13 Jur., part 1, p. 918), which has recently decided, overruling previous cases, that an alien cannot sustain copyright in this country, was, that in *Boosey v. Purday*, the alien, having composed his work abroad, transmitted it to his assignee here, who first published it here. In *Ollendorf v. Black* the alien was himself in England when the work was published; and on that circumstance the Vice-Chancellor relied, apparently to some extent, as distinguishing the case before him from *Boosey v. Purday*, without at all deciding that the plaintiff's temporary residence in England had given him an English domicile. The Vice-Chancellor has, therefore, expressly abstained from overruling, though he avowedly in his judgment disapproved, the decision in *Boosey v. Purday*.

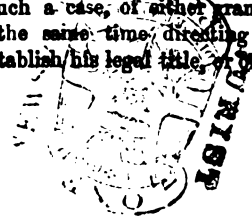
* This case will be reported in THE JURIST at the earliest possible opportunity.

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The point, however, on which the judgment of the Vice-Chancellor may, at first sight, appear to be inconsistent with the doctrines established by Lord Cottenham is, that admitting that there was a conflict of authority at law as to the right of an alien to copyright, his Honor nevertheless granted the injunction; whereas the doctrine usually supposed by the Profession to be laid down by Lord Cottenham is, that if a material doubt be thrown on the legal title of the plaintiff, equity will not interfere by injunction till the legal title has been established.

That, in practice, Lord Cottenham carried this doctrine so far as almost invariably to refuse an injunction, if even a moderate degree of doubt were thrown upon the plaintiff's title, is not to be denied; and it is very possible, we might venture to say probable, that his Lordship would have refused an injunction in a case of as much doubt as the case of *Ollendorf v. Black*. But his Lordship, in laying down the rule, always fully recognised the authority of the Court to use a judicial discretion; he did not, any more than Vice-Chancellor Knight Bruce, admit that the mere fact of the title being doubtful, would entitle a defendant to say no injunction could be granted. His language in the leading case of *Bacon v. Jones* (4 My. & C. 433) was this—"When an application is for an interlocutory injunction, several courses are open; the Court may at once grant the injunction simpliciter, without more—a course which, though perfectly competent to the Court, is not very likely to be taken when the defendant raises a question as to the validity of the plaintiff's title; or it may follow the more usual, and, as I apprehend, the more wholesome practice, in such a case, of either granting an injunction, and at the same time directing the plaintiff to proceed to establish his legal title, or of re-



quiring him first to establish his title at law, and suspending the grant of the injunction until the result of the legal investigation has been ascertained, the defendant in the meantime keeping an account: *which of these courses ought to be taken must depend entirely upon the discretion of the Court, according to the case made.*"

Entirely consistent with this is the language of the Vice-Chancellor in *Ollendorf v. Black*. "It has been said here," said his Honor, "that the legal right is doubtful—that the mere existence of the doubt is sufficient to prevent the Court from granting an injunction. In that I do not agree. I believe that doctrine to be new in this court; for it would interfere, theoretically and practically, with its jurisdiction, daily exercised to a very great extent. The question of the legal right being in doubt is a matter for the serious attention of the Court, and one to which it is right that weight should be given; but it is not a matter which renders it incumbent on the Court to refuse the injunction. The Court must be guided by a discretion exercised according to the exigencies and the nature of each particular case."

About the rule, then, there is no conflict of authority. In its application there is, and necessarily must be, from the different constitution of men's minds, considerable uncertainty; since that which appears to the mind of one judge to be a serious doubt cast on the title of a plaintiff, may appear to the mind of another to be a doubt of much less importance. As, again, the mischief likely to arise by erroneously supporting for a time a title, which may ultimately fail at law, may strike the mind of one judge as much greater, or more fatal, than the mischief which would arise from leaving temporarily unprotected a good legal title. There can be no doubt in the minds of those who have observed Lord Cottenham's practice on motions for injunctions, particularly in regard to patents and copyright, that his Lordship had a very strong tendency to treat, as disentiuling a plaintiff to interfere with the defendant's enjoyment pending the trial of the legal right, such a degree of doubt of the validity of that legal title, as appeared to many, perhaps to most, other men a very slight amount of doubt. Hence it was, probably, that between the late Vice-Chancellor of England and the late Lord Chancellor there was so frequent a conflict of opinion on the granting of injunctions.

It is to be lamented that the rule of the Court should be (perhaps necessarily) so far dependent upon the particular mode in which different men estimate quantities, as to be in effect rather uncertain. But that no new rule is introduced by *Ollendorf v. Black* we take to be clear; and the question will continue to be, as it always has been upon motions of the kind made in that case, not whether there is a mere scintilla of doubt of the plaintiff's legal title—not whether there is a great and manifest doubt, but whether, looking at the extent of doubt cast on the title, and looking to see which way will be the balance of wrong inflicted, if the Court shall have mistaken the legal rights of the parties, the judicial discretion of the Court may be expected to be so exerted as to protect for a time a legal right which may turn out to be unfounded, or to stop the exercise of a right which may turn out to have a legal foundation.

POINTS ON THE CONSTRUCTION OF WILLS.

One great principle to be observed in construing wills is to effectuate, if possible, what seems to be the general intention; but this must be understood with a proviso that such intention is expressed or necessarily implied. The error to which the rule is likely to lead without such a limitation is an endeavour to dispose of the property of a testator for him as he would probably have wished it to go under particular circumstances, although the expressions in his will do not distinctly authorise such disposition.

In other words, the danger is, that a judge may be tempted to add to or contradict the language of a will to suit an event for which it has not expressly provided.

A very few considerations are sufficient to shew the gravity of such an error.

In the first place, the business of the Courts would be endless if they were to undertake to supply words to meet every omitted case in wills and testaments, for there is scarcely a devise or bequest which is precisely applicable to the state of things at the death of the testator, both in respect to its subjects and objects; and no executor or trustee of a will could venture to exercise for himself this discretion, of enlarging the expressions to meet the particular case, nor would a devise or legatee be satisfied, or indeed safe, in trusting to any other than a judicial construction; so that the Courts would probably have to undertake the administration of all wills and testaments.

Then, again, a strong objection to such jurisdiction would be its uncertainty, and the waste of time and money it must occasion.

If the tribunal were infallible, and an appeal to it might be made without delay or expense, perhaps abstract equity might require this relief to be granted. A person excluded by the literal reading of a will might then be heard to say, "The evident intention of the testator was to benefit his kindred in my degree; and if he had foreseen the circumstances under which his will has to be administered, there is no doubt that he would have left his property to me, and therefore it is just that the Court should supply the omission."

But it can be no reproach to any human tribunal to speak of its fallibility in applying such a principle in the construction of wills as this to which we object, for the uncertainty to which it leads is enormous. How careless would testators become as to the disposition of their property if it was known that the most carefully drawn will would be but an intimation of general intention, which a Court would modify to meet the circumstances to which it must be applied at the death of its author. Thus the uncertainty would be increased. But it would be quite embarrassing enough without any increase. Every one conversant with wills must be aware how difficult it sometimes is to feel at all sure what the testator's intention would have been if he had contemplated the circumstances under which his will has to be administered, or whether, in fact, he did foresee those circumstances or not. In short, not to multiply objections, the inquiry as to the general intention, not controlled by what is actually expressed,

leads to such a maze of uncertainty, for testators themselves, for the courts in which wills have to be construed, and also for those who are to administer wills and those to take benefits under them, that no will could be construed on such a principle without the direction of the Courts; and even their direction would often be of very questionable equity, while the necessity of always applying for it would cause great expense and delay.

These considerations shew the absolute necessity, that respect to the testator's general intention must be limited, so as never, at least, to interfere with what he has expressed, even though it may be evident that the expression does not provide, as he intended, for the actual circumstances to which it must be applied.

Illustrations of this rule will occur at once to every learned reader. One example of its application is in the endeavour to determine the time at which a class who are to take an ultimate benefit under a will should be ascertained. It often happens that the time is not expressly fixed; and if the class be ascertained at one period, it will include an individual whom it was not the intention to benefit by the gift; while, by ascertaining the class at another period, such individual would be excluded.

For example, suppose the gift to be of a life interest in a certain subject to A., and from and after his decease the whole subject to the testator's next of kin, or to his right heirs, and that at the testator's death A. is such next of kin or heir. Now, from the gift to him of a particular interest, it seems that the testator intended that A. should not have the subject absolutely. That is the general intention. But the expression in the will gives him both the particular interest and the absolute property in the subject. Is a court of justice at liberty, in construing such a will, to escape the difficulty, by saying that the class shall be ascertained at the death of A., and thus to exclude him? Clearly not, if the rule be limited as above stated; for to defer the time of ascertaining the class, with the object of effecting the testator's general intention, would be to make a will for him, to some extent. In the supposed case, the next of kin or heirs of the testator are his next of kin or heirs at the time of his death—that is the meaning of such a description without more; and to make those words signify next of kin or heirs at some future time, when the class is diminished or altered, is to add to the testator's will a direction which he did not express, whatever he might have intended.

It may seem strange to some, but it is true, that the highest authorities among the judges in Chancery have differed on this subject, and that the decisions in this very case are not to be reconciled. They are too numerous to be collected within the space of a paper like the present, but a reference to some of them may be interesting.

Sir John Leach, in such a case, thought it just to give effect to the testator's general intention by deferring the time of ascertaining the class. In *Briden v. Hewlett* (2 My. & K. 90) and *Butler v. Bushnell* (3 My. & K. 232) he considered words of futurity in the description of the class to be a sufficient expression of the intention to postpone the time of ascertaining it to the death of the tenant for life, though it might be objected

even there that the expression "such persons as shall happen to be" my next of kin, which were the words used, may refer as well to the time of the testator's death as to any more distant period, that time being future to him when he made his will. But in *Pearce v. Vincent* (2 Kee. 230; 2 My. & K. 800) even such words of futurity were wanting; and though the intention was, perhaps, to exclude the tenant for life, it certainly was not expressed. The case was, in effect, a devise and bequest of real and personal property to T. Pearce for life, and after his decease upon trust for such of the testator's relations of the name of Pearce, being a male, as T. Pearce should appoint; in default, for such of the testator's relations of the name of Pearce, being a male, as the said T. Pearce should adopt, if he should be living at the decease of the said T. Pearce; in default of such adoption, or of such male relation living at the decease of T. Pearce, then "for the next or nearest relation, or nearest of kin of him, the testator, of the name of Pearce, being a male, or the elder of such male relations, in case there should be more than one of equal degree, who should be living at his, the testator's, decease," absolutely. T. Pearce did not exercise his powers, and was the nearest male relation of the testator living at his death, and as such entitled to the absolute interest in the property under the express words of the will. But Sir John Leach, considering that the testator's evident intention was to exclude T. Pearce, intimated his strong desire to carry out that intention; and one case being decided against his opinion in the Court of Exchequer, he sent another to the Common Pleas; this last, however, was decided in the same way, and then the cause came on before Lord Langdale, who disagreed with Sir J. Leach on the matter, and stated, in conformity with the above rule, that "the argument derived from intention did not apply," there being a clear gift under which T. Pearce was entitled.

This case is here quoted thus at length because it raised the precise question whether the testator's evident intention was to be allowed to overrule a clear expression in his will which defeated that intention in its application to the circumstances, and it shewed how great authorities differed on this question.

Passing by many important and well-considered decisions on the same point, we refer the learned reader to *Seiffert v. Badham*, (9 Beav. 370); *Lasbury v. Newport*, (Id. 376); and *Uryhart v. Uryhart*, (13 Sim. 629), recent cases in which the rule of construction we contend for has been observed; and we beg to direct particular attention to a case very lately reported, in which the rule was plainly stated and followed by a great master of equity.

In that case (*Bird v. Luckie*, 14 Jur., part 1, p. 1015) a life interest in certain property was given to W.; and if he should die without issue, then the corpus of the property was given in trust for the testator's next of kin; and at the testator's death W. was his sole next of kin.

Knight Bruce, V. C., said, supposing the will to be read without reference to extrinsic facts, the next of kin meant were the next of kin at the testator's death; then the question was, whether these facts made any difference. He quoted Lord Hardwicke's words in *Lemon v. Holnden*, (1 Ves. 294), "Whatever the in-

tention is, if there are not words in the will to warrant it, either express or implied, it cannot have effect;" and his Honor decided in favour of W., because, whatever might have been the intention of the testator, "we are only allowed to hear him through his will and codicil."

The Vice-Chancellor, in the course of his judgment, observed, that the decisions on this point are irreconcilable with one another, and with admirable candour spoke in terms of disapprobation of his own in the cases of *Booth v. Vickars* (1 Coll. 6) and *Godkin v. Murphy*, (2 Y. & C. C. 357).

The Profession cannot be too often reminded of the words of Blackstone, J., which Lord Campbell has mentioned in terms of well-merited praise, (2 Lord Chief Justices, 433)—"If Courts either of law or equity, (in both of which the rules of interpretation must always be the same)—if these, or either of them, should indulge an unlimited latitude of forming conjectures upon wills, instead of attending to their grammatical or legal construction, the consequence must be endless litigation. Every title that belongs to a will must be brought into Westminster Hall; for if once we depart from the established rule of interpretation, without a moral certainty that the meaning of the testator requires it, no interpretation can be safe till it has had the sanction of a court of justice. The law of real property in this country is now formed into a fine artificial system, full of unseen corrections and nice dependencies, and he that breaks one link of the chain endangers the dissolution of the whole. Will it be said, that, when the testator's intent is manifest, the law will supply the proper means to carry it into execution, though he may have used improper ones? This would be turning every devise into an executory trust, and would be arming every court of law with more than the jurisdiction of a court of equity—a power to frame a conveyance for the testator, instead of construing that which he has already framed."

In conclusion, we may observe, that it is the objection to all fixed rules that they produce hardship and even injustice in particular cases; but the choice often is, as here, between that hardship and the total abolition of the rule itself. In fact, the objection, if allowed to prevail, would abolish all laws, and substitute abstract principles of justice, which no human reason could be trusted to apply. That seems to be the wisest rule, which, based upon the immutable principles of right, is so accommodated to our imperfect condition, as to be not only in the main equitable, but practical in its application, and certain.

E. E. K.

MEETING OF PARLIAMENT.—A proclamation was published in last night's Gazette proroguing Parliament to Tuesday, the 4th February, 1851, then to meet for the dispatch of business.

The Right Hon. Sir Robert Monsey Rolfe, Knt., one of the Vice-Chancellors of the High Court of Chancery, has been raised to the dignity of a Baron of the United Kingdom of Great Britain and Ireland, by the style and title of Baron Cranworth, of Cranworth, in the county of Norfolk.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—James Lewis, of Rochester, Kent; Charles Smith, of Leicester.

London Gazette.

TUESDAY, DECEMBER 10.

BANKRUPTS.

ABRAHAM PROVOST, Peterborough, linendraper, dealer and chapman, Dec. 13 at 12, and Jan. 14 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Jones, Sise-lane, (and not *Mark-lane*, as before advertised).—Petition dated Nov. 30.

JOHN CURD, late of High-street, but now of Grove-street, (and not *George-street*, as before advertised), Camden-town, Middlesex, cheesemonger, dealer and chapman, Dec. 13 at 11, and Jan. 14 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Ford & Lloyd, 5, Bloomsbury-square.—Petition dated Dec. 3.

NATHANIEL JOHN HONE, Reading, Berkshire, common brewer, Dec. 19 at 11, and Jan. 23 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Blandy, Reading; Gregory & Co., 1, Bedford-row.—Petition dated Nov. 23.

ADOLPH BEREND and ISIDORE BLOOMENTHAL, Weymouth-place, New Kent-road, Surrey, cigar merchants, dealers and chapmen, Dec. 19 at 12, and Jan. 23 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Britton & Tarrant, Bond-court, Wallbrook.—Petition dated Dec. 2.

ALEXANDER HONEYMAN, Creek-road, Deptford, Kent, builder, Dec. 20 at 12, and Feb. 1 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Sadgrove, 32, Mark-lane, London.—Petition dated Nov. 27.

GERARD BURTON, Whitechapel-road, Middlesex, limendraper, dealer and chapman, Dec. 20 at 11, and Feb. 1 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Ashurst & Son, Old Jewry, London.—Petition dated Dec. 3.

JOHN PALMER BURNELL, Moorgate-street and Coleman-street, London, china, glass, and earthenware dealer, dealer and chapman, Dec. 19 at 2, and Jan. 21 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Hindmarsh & Evans, Crescent, Jewin-street.—Petition filed Dec. 4.

GEORGE MORTIMER SMITH, Ironbridge, Shropshire, bookseller, printer, and stationer, Jan. 2 and 22 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Motteram & Co., Birmingham.—Petition dated Dec. 3.

JAMES KITE, Crewkerne, Somersetshire, wine and spirit merchant, dealer and chapman, Dec. 24 and Jan. 22 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Penny, Taunton; Stogdon, Exeter.—Petition filed Dec. 5.

EDWARD CARDWELL, Manchester, sharebroker, dealer and chapman, Dec. 20 and Jan. 16 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Bond & Barwick, Leeds; Sale & Co., Manchester.—Petition filed Dec. 3.

WILLIAM SIMPSON and EDMUND CHADWICK, Manchester, starch manufacturers, (carrying on business under the firm of William Simpson & Co.), Dec. 17 and Jan. 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Atkinson & Co., Manchester.—Petitions filed Nov. 4 and 8.

MEETINGS.

James Davis, Bristol and Nailsea, Somersetshire, tenant, Dec. 24 at 11, District Court of Bankruptcy, Bristol, and ac.—*Francis Blanchard and Wm. Passmore*, Leeds, Yorkshire, tailors, Dec. 20 at 11, District Court of Bankruptcy, Leeds, and ac.; Jan. 22 at 11, div.—*Charles M. Adams and Chas. Warren*, Shrewsbury and Market Drayton, Shropshire, bankers, Jan. 9 at 12, District Court of Bankruptcy, Birmingham, and ac. and div. sep. est. of *Charles Warren*.—*Henry Pooley*, Wisbeach St. Peter's, Cambridgeshire, carpenter, Jan. 1 at half-past 12, Court of Bankruptcy, London, div.—*Charles Lowe Swainson and John Birchwood*, Manchester, manufacturers, Dec. 23 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James S. Tripp, Lombard-street-chambers, Clement's-lane, London, dealer in railway and other shares, Jan. 1 at 11, Court of Bankruptcy, London.—**Stephen Chas. Lakeman**, St. Mildred-court, London, commission agent, Jan. 1 at 1, Court of Bankruptcy, London.—**Thomas Dailey**, Hythe, Kent, builder, Jan. 1 at 12, Court of Bankruptcy, London.—**Henry Pooley**, Wisbeach St. Peter's, Cambridgeshire, carpenter, Jan. 1 at half-past 12, Court of Bankruptcy, London.—**M. Wilson**, Leeds, Yorkshire, grocer, Jan. 13 at 11, District Court of Bankruptcy, Leeds.—**Wm. Miller and Alexander Miller**, Liverpool and Bootle, Lancashire, wine merchants, Jan. 3 at 11, District Court of Bankruptcy, Liverpool.—**John Ryder**, Liverpool, victualler, Dec. 31 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

James Smith, King-st., Snow-hill, London, engraver.—**Wm. Atherton**, Bucklersbury and Old Jewry, London, auctioneer.—**Thomas Fielding**, Rhyl, Flintshire, hotel keeper.

FIAT ANNULLED.

John Robert Wright, Leeds, Yorkshire, carrier.

SCOTCH SEQUESTRATIONS.

Oliver Wingate and Robert Lauder, Glasgow, commission agents.—**Thomas K. Meffan**, dec., Dundee, merchant.—**K. Munro**, dec., Aberdeen, shoemaker.—**J. Campbell**, Rothesay, grocer.—**Charles M. Glashan**, Edinburgh, commission agent.—**Archibald Warden**, Glasgow, sugar merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Shepherd, Hailey, near Witney, Oxfordshire, grocer, Dec. 20 at 10, County Court of Oxfordshire, at Witney.—**W. Boyes**, Liverpool, licensed victualler, Dec. 12 at 10, County Court of Lancashire, at Liverpool.—**M. Phillips**, Liverpool, commission agent, Dec. 12 at 10, County Court of Lancashire, at Liverpool.—**J. A. Wood**, Liverpool, bookkeeper, Dec. 12 at 10, County Court of Lancashire, at Liverpool.—**C. Samson**, Liverpool, dealer in bottled porter, Dec. 12 at 10, County Court of Lancashire, at Liverpool.—**John Jones**, Aberystwith, Cardiganshire, schoolmaster, Dec. 26 at 10, County Court of Cardiganshire, at Aberystwith.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 24 at 11, before the CHIEF COMMISSIONER.

Samuel Pettit, Hart's-cottages, Downham-road, King'sland, Middlesex, commercial traveller.

Dec. 24 at 10, before Mr. Commissioner LAW.

Geo. Hellis, New-inn-stables, Townshend-road, St. John's-wood, Middlesex, job master.—**Samuel Arniston Oliver**, Oxford-street, Middlesex, hatter.

Saturday, Dec. 7.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Farrer, Eccleshill, near Bradford, Yorkshire, out of business, No. 72,863 C.; **William Wells**, Benjamin Briggs Popplewell, and **John Crowther**, assignees.—**Robert Cawood**, Manchester, auctioneer, No. 72,970 C.; **William Masters** and **Bryce Smith**, assignees.—**Robert Hodgson**, Manchester, auctioneer, No. 72,971 C.; **William Masters** and **Bryce Smith**, assignees.

Saturday, Dec. 7.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Philip Henry Collom, Cannon-street-road, Middlesex, printer: in the Debtors Prison for London and Middlesex.—

Thomas Morton, Panton-square, Haymarket, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—**Richard Thompson**, Smithfield-bars, Smithfield, London, assistant to an eating-house keeper: in the Debtors Prison for London and Middlesex.—**John Gapp**, Upper Berkeley-street, Portman-square, Middlesex, cab proprietor: in the Queen's Prison.—**Henry Archer**, Park-street, Golden-square, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—**Henry Martin Jackson**, Hemsworth-street, Hoxton, Middlesex, linendraper: in the Debtors Prison for London and Middlesex.—**Samuel Marchant**, Salem-place, Walham-green, Middlesex, ironmonger: in the Debtors Prison for London and Middlesex.—**Rich. Webb**, London-road, Southwark, Surrey, shoemaker: in the Debtors Prison for London and Middlesex.—**Jas. Booth Lambley**, Alfred-terrace, Queen's-road, Grange-road, Bermondsey, Surrey, ornamental painter: in the Gaol of Horsemonger-lane.—**J. Richard Lewis**, Collier-street, Pentonville-hill, Pentonville, Middlesex, publican: in the Debtors Prison for London and Middlesex.—**S. Tynder**, Finchley-road, St. John's-wood, Middlesex, livery-stable keeper: in the Debtors Prison for London and Middlesex.—**William Isod**, Surrey-square, Old Kent-road, Surrey, iron-founder: in the Queen's Prison.—**Edward Hobday**, Church-row, Kennington-common, Surrey, licensed victualler: in the Gaol of Horsemonger-lane.—**John Silcock**, Pickering-place, Lower-road, Islington, Middlesex, beef-shop keeper: in the Debtors Prison for London and Middlesex.—**George Willoughby**, Godfrey-row, Shacklewell, Middlesex, check clerk in the London Docks: in the Debtors Prison for London and Middlesex.—**Robert Aldersey**, Liverpool, assistant in a spirit vault: in the Gaol of Lancaster.—**George Howarth**, Liverpool, coal dealer: in the Gaol of Lancaster.—**David Jackson**, Mirfield, near Dewsbury, Yorkshire, card maker: in the Gaol of York.—**Tryall Kay**, Walmersley, near Bury, Lancashire, out of business: in the Gaol of Lancaster.—**Richard Nowell**, Bromsgrove, Worcestershire, hat manufacturer: in the Gaol of Worcester.—**John Nutter**, Liverpool, manager at a beer-house: in the Gaol of Lancaster.—**John Prosser**, Manchester, labourer: in the Gaol of Lancaster.—**Robert Robson**, Liverpool, brazier: in the Gaol of Lancaster.—**Thos. Geo. Smith**, Liverpool, wine merchant: in the Gaol of Lancaster.—**Wm. Wadley**, Berrow, Worcestershire, horse dealer: in the Gaol of Worcester.—**Joseph Yeardeley**, Salford, Lancashire, licensed victualler: in the Gaol of Lancaster.—**Robert Evans Davies**, Tunstall, Staffordshire, accountant: in the Gaol of Stafford.—**Evan Jones**, Aberaman, near Aberdare, Glamorganshire, collier: in the Gaol of Cardiff.—**Christopher Burton**, Birkenhead, Cheshire, outfitter: in the Gaol of Chester.—**John Buckley**, Rochdale, Lancashire, confectioner: in the Gaol of Lancaster.—**Watkin Jeffreys**, Aberdare, Glamorganshire, grocer: in the Gaol of Cardiff.—**William Smith**, jun., Spokergate, Doncaster, Yorkshire, coffee dealer: in the Gaol of York.—**John Cos**, Brighton, Sussex, eating-house keeper: in the Gaol of Lewes.—**Jos. Corbett**, Little Bromwich, near Birmingham, out of business: in the Gaol of Coventry.—**Zebedes Garlick**, Trowbridge, Wiltshire, butcher: in the Gaol of Fisherton Anger.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 24 at 11, before the CHIEF COMMISSIONER.

Samuel Hotnville, Holly-bush-gardens, Bethnal-green, Middlesex, fancy trimming manufacturer.

Dec. 24 at 10, before Mr. Commissioner LAW.

Philip Henry Collom, Cannon-street-road, Middlesex, printer.

Dec. 24 at 11, before Mr. Commissioner PHILLIPS.

Philip Hayward the younger, Cumberland-st., Hackney-road, Middlesex, out of business.—**Wm. Cuming**, William-st., Hampstead-road, Middlesex, out of business.

FRIDAY, DECEMBER 13.

BANKRUPTS.

JAMES LETTS, Leamington Priors, Warwickshire, miller, Dec. 31 at 12, and Jan. 20 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Welling-ton, Leamington.—Petition dated Dec. 10.

HENRY MATTHEW EAST, Mark-lane, London, stationer and commission agent, dealer and chapman, Dec. 23rd at 12, (instead of the 30th instant, as advertised in the London Gazette of the 3rd instant), and Jan. 15 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Richardson, 3, Moorgate-st., City.—Petition dated Nov. 27.

SAUL INGAMELLS, March, Isle of Ely, Cambridgeshire, machinist and smith, dealer and chapman, Dec. 24 at 2, and Jan. 28 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Barley & Co., March, Isle of Ely; Meredith & Co., 8, New-sq., Lincoln's-inn.—Petition filed Nov. 26.

SIMON BERNARD, Warwick-st., Regent-st., Middlesex, embroiderer, dealer and chapman, Dec. 20 at 12, and Jan. 24 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Reed & Co., Friday-st., Chancery-lane.—Petition filed Dec. 4.

CHRISTOPHER GRINDEL and JAMES GRACE, Jermy-st., St. James's, Middlesex, licensed victuallers, dealers and chapmen, Dec. 24 at 11, and Jan. 23 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Shattock, 63, Coleman-st.—Petition dated Dec. 11.

GEORGE JOHNSTONE, Newbury, Berkshire, publican and innkeeper, dealer and chapman, Dec. 21 at 2, and Feb. 8 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Bunney, Newbury; Lawrance & Plews, Old Jewry-chambers.—Petition dated Nov. 29.

GILES ECKERSLEY, Tyldesley, Lancashire, victualler, and dealer in hay, Dec. 31 and Jan. 21 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Richardson & Marsland, Bolton, Lancashire.—Petition filed Dec. 6.

WILLIAM COUSINS, Wolverhampton, Staffordshire, coach builder, dealer and chapman, Dec. 31 and Jan. 16 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Stuart, Wolverhampton; Metteram & Co., Birmingham.—Petition dated Dec. 7.

MEETINGS.

Saml. W. Saunders, Park-road, Brixton, Surrey, engineer, Dec. 20 at 2, Court of Bankruptcy, London, last ex.—*James Brooks*, Winslow, Buckinghamshire, victualler, Jan. 7 at half-past 1, Court of Bankruptcy, London, last ex.—*T. Gimson*, Mark-lane, London, corn factor, Jan. 10 at 11, Court of Bankruptcy, London, last ex.—*George Walker*, Philpot-lane, London, merchant, Jan. 2 at 12, Court of Bankruptcy, London, and ac.—*Wm. Blader*, Orsett, Essex, builder, Jan. 2 at 2, Court of Bankruptcy, London, and ac.—*Thomas H. Jelley*, Farringdon-street, London, fruit salesman, Jan. 2 at 1, Court of Bankruptcy, London, and ac.—*Thos. Woodroffe*, Webb's County-terrace, New Kent-road, Surrey, druggist, Jan. 7 at 11, Court of Bankruptcy, London, and ac.—*Hugh Snelling*, Brighton, Sussex, grocer, Jan. 9 at half-past 12, Court of Bankruptcy, London, and ac.—*James Porter*, High-street, Camden-town, Middlesex, upholsterer, Jan. 7 at 1, Court of Bankruptcy, London, and ac.—*John Powell*, Upper Cabalva, Clifrow, Radnorshire, cattle dealer, Jan. 10 at 11, District Court of Bankruptcy, Bristol, and ac.—*Wm. H. Boon*, Plymouth, Devonshire, ironmonger, Jan. 9 at 11, District Court of Bankruptcy, Exeter, and ac. and div.—*John Thos. Holland*, Coventry, Warwickshire, builder, Jan. 28 at 12, District Court of Bankruptcy, Birmingham, and ac. and div.—*J. Bowers*, *Jos. Bowers*, and *Sarah A. Bowers*, Worcester, grocers, Jan. 6 at 12, District Court of Bankruptcy, Birmingham, and ac.—*John Robinson* and *Edward Moore*, Alverthorpe with Thornes, Wakefield, Yorkshire, spinners, Jan. 13 at 12, District Court of Bankruptcy, Leeds, and ac., and Jan. 14 at 12, first and fin. div. sep. est. of *John Robinson*.—*Richard Simpson*, Great Bell-alley, London, merchant, Jan. 3 at half-past 12, Court of Bankruptcy, London, fin. div.—*Thomas Foot Piper*, Chancery-lane, and Bishopsgate-st. Without, London, and Thomas-place, North-street, Whitechapel, Middlesex, and Landport, Hampshire, stay manufacturer, Jan. 9 at half-past 11, Court of Bankruptcy, London, div.—*Edward Whalley*, Kingsgate-street, High Holborn, Middlesex, clothworker, Jan. 4 at 12, Court of Bankruptcy, London, div.—*Walter Hall*, Kingston, Herefordshire, miller, Jan. 16 at 12, District Court of Bankruptcy, Birmingham, and ac. and fin. div.—*James Sewerdyff*, Haverfordwest, scrivener, Jan. 2 at 12, District Court of Bankruptcy, Bristol, fin. div.—*George Strawbridge*, Bristol, builder, Jan. 2 at half-past 12, District

Court of Bankruptcy, Bristol, div.—*James Burt* and *Jos. Burt* the younger, Manchester, and *William Tottie Wain*, Leeds, Yorkshire, commission agents, Dec. 23 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Hugh Snelling, Brighton, Sussex, grocer, Jan. 9 at half-past 12, Court of Bankruptcy, London.—*Thomas Woodroffe*, Webb's County-terrace, New Kent-road, Surrey, druggist, Jan. 7 at 11, Court of Bankruptcy, London.—*George Fuller*, Poultry, London, auctioneer, Jan. 4 at 1, Court of Bankruptcy, London.—*John Thomas Guss*, Williams'-cottage, High-row, Knightsbridge, Middlesex, bill broker, Jan. 4 at 11, Court of Bankruptcy, London.—*James Gileston*, Leeds, Yorkshire, woollendrapery, Jan. 13 at 12, District Court of Bankruptcy, Leeds.—*James Horsfield*, Wheelock, near Sandbach, Cheshire, coal dealer, Jan. 6 at 12, District Court of Bankruptcy, Liverpool.—*Joseph Worsey* and *James Biggs*, Aston, near Birmingham, wire manufacturers, Jan. 9 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Robert Howe Gould, Strand, Middlesex, ice merchant.—*John Bull*, Totting, Eling, Hampshire, coal merchant.—*Isaac Jessup*, Kingsdown, near Dartford, Kent, farmer.—*Georg Kyrke*, Bryn Malley, Wrexham, Denbighshire, farmer.—*John Meredith*, Tattenhall, Cheshire, maltster.

PETITION ANNULLED.

Joseph Nye, Mill-pond Wharf, Park-road, Old Kent-road, Surrey, machinist.

PARTNERSHIP DISSOLVED.

Richard Edgar Smith and *Frederick Atkins*, Sergeant's-inn, Fleet-street, London, attorneys-at-law.

SCOTCH SEQUESTRATIONS.

D. Wyllie, deceased, Busby, Methven, Perthshire, farmer.—*L. Fraser*, Inverness, coach builder.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Eno the younger, Butterwick, near Boston, Lincolnshire, farmer, Jan. 7 at 10, County Court of Lincolnshire, at Boston.—*Geo. Knight*, Little Dean, Woodside, East Den, Gloucestershire, coal miner, Jan. 10 at 10, County Court of Gloucestershire, at Newnham.—*Jos. Herrington*, Storrington, Sussex, baker, Dec. 27 at 12, County Court of Sussex, at Petworth.—*John Dodge*, Dawlish, Devonshire, out of business, Dec. 28 at 11, County Court of Devonshire, at Newton Abbot.—*Samuel Tutton*, Bodminster, Bristol, labourer, Jan. 29 at 11, County Court of Gloucestershire, at Bristol.—*Geo. Hodges*, Bristol, assistant to a beer retailer, Feb. 5 at 11, County Court of Gloucestershire, at Bristol.—*Edw. Parry*, Scarborough, Yorkshire, tailor, Dec. 18 at 11, County Court of Yorkshire, at Scarborough.—*Thos. Augustus Bullbrook*, Ramsgate, Isle of Thanet, Kent, shoemaker, Dec. 20 at 10, County Court of Kent, at Ramsgate.

The following Prisoner is ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Sussex, at LEWES, Dec. 31.
John Cox, Brighton, out of business.

INSOLVENT DEBTOR'S DIVIDEND.

Mary Avenhall Napier, widow, Dec. 17, Braham's, 18, Chancery-lane: 4s. 6½d. in the pound, (in addition to former ones, and amounting in the whole to 17s. 8½d. in the pound).

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas at Westminster, has appointed Edward Hugh Edwards, Gent., of Ruthin, in the county of Denbigh, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Denbigh.

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LONDON, DECEMBER 21, 1850.

As a commission has now issued for the purpose of inquiring generally what may be done for the reform of the Court of Chancery, and as among the commissioners are named gentlemen not only of known goodwill towards the cause of reform, but of long practice and tried ability, we may anticipate some very extensive, substantial, and well-considered changes in the machinery and procedure of the Courts of equity, perhaps in matters touching even their organic structure.

Whether any material change in the latter would be for the advantage of the country, is a very difficult question; but as to the machinery and procedure of the Court, there is no difficulty in pointing out grievous defects, and not much more in suggesting the principles of remedies; the difficulty lies in framing the details of a good practical code. Let us just take a very short review of the present state of Chancery procedure. We have now subsisting four distinct courses of proceeding: first, the old system of bills and answers, with all the well known and settled practice depending on that mode of procedure; secondly, the new system, or rather unsystem, of claims, with all the unsettled practice yet to be gathered from, or rather invented for, the Orders of 1850; thirdly, we have the new system, under Mr. Turner's Act, of special cases; fourthly, we have the new system, for a system it is in itself, under the Winding-up Acts; so that we now are almost as varied in our forms of suit as are the common lawyers in the forms of their actions. This multifariousness of procedure is of itself a great, and we conceive a totally unnecessary, evil. No doubt it will be said, bills are good for one class of cases, claims are good for another, special cases for a third, and so on;

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and, to a certain extent, that is true—that is to say, bills with charges and interrogatories, and formal answers answering every allegation, although idle as applied to uncontested cases, are very good for complex ones; and claims, as they appear to be regulated under the Orders of 1850, although probably as idle, if applied to complicated and contested cases, are very good for mere administration suits uncontested. But that which is required by the different kinds of business, is not absolutely different forms of suit, but difference in the details of one course of procedure and practice. A bill is, in itself, a very good form of procedure; it is not its form that has been its vice, but the habitual application to all cases of all the parts of its most elaborate form, without regard to the nature of the suit commenced by it.

If a bill stated plainly the plaintiff's case, that is, the heads of his case, but not its details, without setting out documents, and only referring to them; if, in fact, it was drawn as we now draw a special claim, (which is really nothing more nor less than a carefully condensed bill without interrogatories), there never would be any occasion for a claim. But then with a bill is always associated the notion of interrogatories, and of an answer, and a minute answer; and herein was the practical vice of the bill and answer procedure. A bill ought not to require, and does not of its nature require, an answer, using the word as it is commonly understood—that is, it does not of its very nature require discovery from the defendant. It may be requisite to have that, and when it is, specific statements, and interrogatories founded on them, may properly be introduced into a bill. But though a bill does not necessarily require discovery, it requires, like any other mode of commencing a litigation, a statement of some

sort, of the defence; and in the omission of this was at least one grave defect of the Orders of 1850.

In our view of that part of Chancery reform which relates to its forms of pleading, the best proceeding would be wholly to repeal and annihilate the Orders of 1850, and to restore bills, not in their old luxuriant verbosity, but placing them under regulations, in which the main points to be attended to appear to us to be these:—First, bills should in general state only the heads of the plaintiff's demand, not its detailed circumstances; in fact, not as they now do by custom, his evidence. They should not be accompanied by interrogatories, except where special discovery of matter not capable of proof is required; they should not contain imaginary charges and suggestions of pretences, at the peril of costs; they should be the plain statement, in as plain language as the circumstances of the case will permit, of the facts and documents on which the plaintiff founds his claim. Governed and regulated by such restrictions, and accompanied when requisite by interrogatories, bills would be what they now are, the very best mode of wringing a defendant's conscience where that is requisite; and where it is not, they would be as harmless, as short, and as wholesome a mode of instituting a suit as any other.

Next as to the pleading in defence. Here again there is nothing inherently bad in the answer. What *was* bad in it was the practice of the defendant being *always* called upon to purge his conscience in a very wordy manner, whether he had anything to conceal or not. The remedy is in altering the details, not in altering the thing itself. If, then, to a bill making a mere statement, and not interrogating, the defendant, not demurring, were required to put in an answer, by which he should be at liberty to deny any statement of the bill, and to add any substantive counter-statement of his own, but by which he should be taken to admit everything that he neither denied nor rebutted; and if he were required to answer minutely only when specially interrogated, we should have all the benefit of a known system of defence, without the practical defects that have grown up and surrounded it.

The bill and answer restored in a reformed state, the consequential modes of procedure follow; but as they nearly all require improvement in detail, we will proceed to point out what we conceive to be their practical defects. First, as to defence by way of demurrer. This is beyond all question a very reasonable and useful mode of defence under circumstances; but it is very questionable whether it ought to be permitted, except when it goes to the very substance of the case, because the use of a demurrer is, for the purpose of saving expense, to stop the suit at once, if on his own shewing the plaintiff has no title to relief; not, at the expense of a hearing in court, to cure some purely technical irregularity in the form of the suit, which the defendant admits in general to be really immaterial, by his being perfectly willing to go on, if the defect is cured by amendment. In all cases of demurrer on mere form, a simple notice to the plaintiff to cure the defect, or to omit doing so at his peril, would answer the purpose of a formal demurrer. Except demurrer and answer, we should be disposed to object, as the Americans have done in their new system of procedure, to any form of

defence. A plea is, after all, but a portion of an answer, and if bills and answers were framed on the principle above suggested, would be so seldom of any practical advantage, that it would be better to exclude it altogether from the system of equity pleading.

The most material alteration which we should venture to suggest, as deserving of consideration, would be that relating to the mode of taking evidence. The present mode is confessedly insufficient to elicit truth—the remedy appears really simple enough. All evidence in Chancery, as well as at law, should be given under *vivâ voce* examination. This might not be always convenient in court. But the office of examiner should be very superior to what it now is. The evidence should be taken *vivâ voce* before examiners, who should be experienced Barristers, and whose courts should be open to the public; and the written evidence could be brought before the Court, as the written depositions now are, power being reserved to the Court, on the application of any party, or of its own motion, to have any witness examined in open court.

Our space will not allow this subject to be now further discussed. We shall resume it at a future period.

Reviews.

Practical Remarks upon the injurious Operation of the Wills Act in Respect to the Execution of Wills; with Suggestions for its Amendment. By an Advocate in Doctors' Commons. [William Benning & Co., 1850.]

In England, every law being considered as promulgated as soon as it is enacted, the general presumption is, that no one is ignorant of the law. But with reference to the doctrine of some very important recent decisions on the Wills Act, the learned author of the pamphlet named above observes:—

"Such is now the law; but was this law published 'in 1837, in the requirement that a will shall be signed at the foot or end? Nay, is one person in ten thousand now acquainted with this law, upon which 'their power of bequeathing and their title to property bequeathed depend?'

"It is impossible to say that this universal ignorance is the fault of the people. The Court itself has been 'twelve years arriving at this principle, which is even 'now promulgated only by the Reports of Mr. Thornton, (7 Notes of Cases, part 15), and scarcely known 'beyond the precincts of Doctors' Commons, except, 'indeed, by the legatees who have suffered by its enforcement.'" (Pp. 29, 30).

It becomes, therefore, of some importance that the result of these recent decisions should, at least, be generally known.

The writer mentions, (p. 63), as remarkable instances of persons unacquainted with the law, (which form a striking commentary on the legal presumption that no one is ignorant of the law), "persons of superior education, persons even educated in the profession of the law"—the son of the late Vice-Chancellor of England; 'the sister of another learned judge, who is almost daily 'administering this very law in the Judicial Committee 'of the Privy Council; and lastly, within these few 'months, the late Queen Dowager herself."

* One of these cases, given in the Appendix, (*Re John Hill*, 7 Notes of Cases, part 8, p. 266), reminds us of another lawyer, of the name of Hill, (Serjeant Hill), whom Lord Eldon said he *knew* to be the greatest lawyer of his time, and whose will, we believe, nobody could understand. That, however, could hardly be attributed to the most learned Serjeant's ignorance of the law.

The Wills Act says that a will, in order to be valid, "shall be signed at the foot or end thereof by the testator." The writer of this pamphlet shews that the Reports of Cases in the Court of Probate, as published by Dr. Curteis, Dr. Robertson, and Mr. Thornton, the editor of the Notes of Cases in the Ecclesiastical and Maritime Courts, contain, in a period of twelve legal years, above sixty cases where the validity of wills depended upon this question; that they contain only eleven cases of wills declared invalid from non-signature "at the foot or end," during the first ten years after the law came into operation; but that, from November, 1849, to April, 1850, a period of less than six months, they contain no less than sixteen cases of invalidity on the same ground.

It appears that we have no case of a will declared invalid, on the ground of the signature not being *immediately* after the conclusion of the will, until the 10th March, 1846, more than eight years after the law came into operation; but that during the first three terms of the past legal year we find no less than sixteen. "In eight years there is no case—in six months there are sixteen." The writer gives the following account of the change introduced in regard to the principle of these decisions:—

"We now come to the first case (for *Chaplyn's* comes more properly under 'Signature in Attestation Clause,' 4 Notes of Cases, 490) of refusal of probate under this error of signature—*Scarlett's*, (10th March, 1846). This seems to have been *not only the commencement, but the reason*, of the numerous subsequent rejections; for it appears from the affidavits of the witnesses (*Scarlett's* case affords strong evidence of the extensive ignorance of the law, for there were at least four persons present at the execution of the will) that the deceased objected to sign his name, as suggested, a little below the line ending with the word "executors," on the first side of the paper, and proposed to sign on the lower part of the second side, *alleging as a reason*, that any addition he might think proper to make to his will, after execution, might be inserted in the blank or space between the word "executors" and his signature." Upon which the Court remarks—"He signs the will at first provisionally, for it is clear that he had an intention to make an addition to it. I am clearly of opinion that there has not been a due execution. It was not signed at the foot or end of the will; the deceased *always contemplated making the addition he made to it.*"

"The next reported case is *Ayres v. Ayres*, (7th May, 1847—1 Robert. 487; 5 Notes of Cases, 375), where the Court, in rejecting the allegation, remarked, "Though the Court has in some instances decreed probate of papers, on motion, signed in places where one would not have expected to find signatures, yet in all the cases there was a *disposition of the entire property*, which is not the case in the present instance. . . . *I have reason to know that it is the opinion of the superior Court* that this Court has gone to the full length in giving effect to the intentions of parties. I am not, therefore, inclined to go further in the construction of the act."

"Hence we find, that at this period the disposition or non-disposition of the entire property regulated the interpretation of the words 'foot or end'; and that, therefore, the intention of the deceased, with respect to the place of his signature, was taken into consideration; and we also find, that Sir Herbert Jenner Fust's gradual abandonment of the equitable for the literal interpretation of the act is to be attributed to hints and suggestions from the superior Court of Probate; and inasmuch as we do not yet find that it has been hinted to the learned judge that he is now interpreting the same too strictly and too literally, we must conclude, that the numerous rejections of wills under this

literal interpretation have the approval of the superior Court, and are considered by it as the legitimate consequences of the correct construction of the law.

"If so, there is no remedy against the grievous injustice of law but an appeal to the Legislature for its alteration or modification." (P. 18).

The leading case on this point of the law is the case of *Smee v. Bryer*, (1 Rob. 616), wherein an appeal was made to the Judicial Committee of the Privy Council, (composed of Lord Brougham, Lord Langdale, M. R., Dr. Lushington, and Mr. Pemberton Leigh), which affirmed the decision of the inferior Court, and thereby expressed its approval of the strict and literal interpretation of the law with respect to signature "at the foot or end." The reasons assigned by the Judicial Committee for affirming the judgment of Sir Herbert Jenner Fust are thus given in the pamphlet from the Notes of Cases, (6 Notes of Cases, Suppl. xii):—

"*Per Curiam*.—In this case, the will of the testatrix, Mary Bateman, is written on three sides of a sheet of foolscap paper. At the foot or end of the third and last side of the will there is space sufficient to have received the signature of the testatrix, and also the signatures of two witnesses, if not accompanied by an attestation clause formally expressed. But neither the testatrix nor the witnesses signed on the third side of the will immediately at the foot or end thereof; her signature is found about half way down the fourth side of the sheet of paper, *no part of the will being immediately above it*; and with the signature, about the middle of the fourth side, is an attestation clause formally expressed, and signed by two witnesses. The vacancy above the signature on the fourth side is occupied only by two signatures of witnesses, attesting an interlineation made between the fifth and sixth lines of that part of the will which is written on the first side of the same sheet of paper.

"The question is, whether this will is signed by the testatrix at the foot or end of the will, according to the true intent and meaning of the statute?"

"Now, forms are required for the purpose of preventing spurious wills. It may happen, even frequently, that genuine wills, i. e. wills truly expressing the intentions of the testators, are made without observation of the required forms, and whenever that happens, the genuine intention is frustrated by the act of the Legislature, of which the general object is to give effect to the intention.

"The Courts must consider that the Legislature, having regard to all probable circumstances, has thought it best, and has therefore determined to run the risk of frustrating the intention sometimes in preference to the risk of giving effect to, or facilitating the formation of, spurious wills, by the absence of forms. It is supposed, and that authoritatively, that the evil of defeating the intention in some cases, by requiring forms, is less than the evil probable to arise by giving validity to wills made without any form in all cases.

"When questions arise whether the prescribed forms have been observed or not—and such cases must frequently occur—it seems to be the duty of the Courts to construe the enactment according to the plain rules of common sense; not to strain the simple meaning of the words, or to be astute in giving special constructions on particular occasions for the purpose of evading the application of the rule, where its application may seem to us to frustrate or defeat the intention of testators in particular cases. We must act according to the rule, as expressed by the Legislature, founded on the principle, that it is more important to maintain the integrity of the general rule than to give effect to a particular will at the risk of acting contrary to the intention of the Legislature, and depriving the public of that benefit which was intended to be produced by the generality of the rule.

"And, applying these principles to the present case, it appears to us, and we shall so report to her Majesty, that the name of the testatrix, Mary Bateman, is not signed at the foot or end of the will, as required by the act, and therefore that *the will is not valid.*" (P. 23).

The writer discusses at some length the point of the requirement of the signature of the testator *immediately* after the conclusion of the will. He contends, that if a testator be not acquainted with this indispensable condition of validity, it is manifest that it can have no effect upon his mind; but if he be aware that a blank space at the end of his will would invalidate the whole, it is equally manifest that he would not leave a blank space in that forbidden part, but would leave it where it would answer exactly the same purpose, without invalidating the will, viz. in the middle or the beginning. But some of his arguments on this point do not appear to us conclusive. He says, (p. 32), "The blank space is of itself, pro tanto, incontrovertible proof that nothing has been added—that the assent has *not* been extended in fraud of the Legislature, either by the testator or others." How is it incontrovertible proof? For how can it be known *how much* of the will was written before the signature? When any writing has a signature close to the end of it, the inference is, that the party signing intended such writing as a certain act of his, complete in itself; if he affixes his signature at some distance from the end, the inference is, that he intended to add something to render it complete. And in regard to the writer's remark a little further on in the same page, that "a blank space at the conclusion is no stronger evidence of an intention to add than a blank space in the middle of a will, which the Court has declared to be permitted by the statute," it may be observed, that a blank space anywhere else than at the end is of a different character from one at the end. It generally has, or may have, reference to some *special* matter or point on which the testator either has not made up his mind, or has not obtained the exact information he requires. Whereas a blank space at the end affords, pro tanto, a *general* inference of incompleteness of such a nature that the matter to be added may alter fundamentally the nature, at least the effect, of the instrument. At the same time, it cannot be denied that a blank space in any part of a will may open as large a door to fraud as a blank space at the end. But there are two questions to be kept in view—that of fraud, and that of the testator's intention or will; and in regard to the second, it appears to us that a blank space at the end affords more evidence that a written instrument in which it occurs is not a *full and complete* manifestation of the testator's last will than a blank space in any other part of it.

After discussing the first branch of the law of execution, viz. the signature of the testator, the writer proceeds (p. 35) to discuss the second branch, viz. the evidence of that execution as dependent upon the testimony of others. Here he contends, that as the proof "that the signature at the foot or end was made in the presence of two witnesses present at the same time, and that those two witnesses attested and subscribed the will in the presence of the testator," depends entirely upon the testimony of the two witnesses, as the law now stands, almost every will that is made may become a nullity by the slight perjury of two persons, or even one, under certain circumstances. He comments (p. 42) on the exclusion of autograph wills, concluding that "an autograph will is the most perfect and authentic evidence of a testator's intentions," and that the proof that a will was wholly written by a man is stronger evidence of his intentions than the proof that he wrote his signature thereto. "Yet this proof," he says, "the law utterly excludes. As the law now stands, two or twenty witnesses might be able to tes-

tify that they saw the testator calmly and deliberately write his will, or acknowledge a certain document to be his will; yet their testimony would be utterly useless, unless two at least could bear witness that he attached or acknowledged his signature thereto in their presence, and that they both, in his presence, also signed their own names after such acknowledgment." (P. 42). And he suggests, as at least a partial remedy—"Relax the restriction as to signature, or acknowledgment of signature, in the presence of two witnesses, and allow the actual or virtual acknowledgment of the document itself by the testator." (P. 43).

In conclusion, he makes the following suggestion, (p. 87):—

"If it were enacted that such wills as are now invalid through the omission of some requisite of the law might receive *special probate* upon satisfactory proof being given to the Court that the testator intended the document as his last will and testament, but appeared to have misapprehended some requirement of the law, justice would be done to legatees, further protection given to testators, and the inducements to perjury removed, without, I think, the example introducing a general mischief."

"It would not repeal the law. Its requirements would be the same, but every instance of non-compliance would be brought under the consideration of the Court, and unless satisfactorily accounted for, and shewn by fair evidence not to defeat the intention of the law, its penalties would still fall upon the document and its legatees. It would again put the balance in the hands of justice without fear of her being fastidious by the 'litigation of imperfect papers,' or being surprised or deceived by the 'fraudulent fabrication of spurious ones.'"

"The *special probate* should have a stamp of the same value as that required under intestacy, so that this and the extra expense of a motion in court would be a fine upon the property for the negligence or ignorance of the owner, sufficient to prevent such ignorance or negligence becoming more general than it is at present."

"Such a compromise between the laxity of the old and the stringency of the new law of probate would, I respectfully submit, afford a remedy of a great wrong." (P. 87).

(To be continued).

London Gazette.

TUESDAY, DECEMBER 17.

BANKRUPTS.

GEORGE MAY, Cursitor-street, Chancery-lane, London, builder, dealer and chapman, Dec. 27 at 2, and Jan. 31 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Norton & Son, 1, New-street, Bishopsgate.—Petition dated Dec. 2.

GEORGE LEA, Upper Belgrave-place, Pimlico, Middlesex, and Belgrave-cottage, Nunhead-lane, Peckham-rye, Surrey, coal merchant, dealer and chapman, Jan. 3 at 11, and Jan. 28 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. M'Leod & Stenning, London-st., Fenchurch-street.—Petition filed Dec. 10.

JOHN PULLEN, Powis-place, Great Ormond-st., Middlesex, lodging-house keeper, dealer and chapman, Dec. 31 at 12, and Jan. 24 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Barham, 18, Essex-street, Strand.—Petition filed Dec. 16.

GEORGE STEELE, Durham, grocer, and flour and provision dealer, (trading under the style or firm of Steele & Co.), Dec. 31 at 11, and Jan. 28 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. J. J. & G. W. Wright, Sunderland; Maples & Co., 6, Frederick's-place, Old Jewry, London.—Petition filed Dec. 5.

GEORGE BONNY, Gravesend, Kent, licensed victualler, Dec. 28 at 11, and Feb. 8 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Martineau & Read, 2, Raymond-buildings, Gray's-inn.—Petition dated Dec. 3.

SAMUEL MOYER, Old-street, St. Luke's, Middlesex, linendraper, dealer and chapman, Dec. 21 at 11, and Feb. 8 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Reed & Co., Friday-street, Cheapside.—Petition dated Dec. 7.

THOMAS MATTHEWS, Kenilworth, Warwickshire, licensed victualler, Jan. 6 and Feb. 3 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Petition dated Dec. 6.

MEETINGS.

Thomas Ashworth, Liverpool, merchant, Dec. 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**William Greenup**, sen., Eccleston, Prescot, Lancashire, coal proprietor, Jan. 8 at 11, District Court of Bankruptcy, Liverpool, fin. div.—**Julius** otherwise **Jules George Geyelin**, Liverpool, zinc-worker, Jan. 8 at 11, District Court of Bankruptcy, Liverpool, div.—**Thomas Dalton**, Coventry, silk dyer, Jan. 9 at 12, District Court of Bankruptcy, Birmingham, div.—**William Barnes**, Milnrow, Lancashire, flannel manufacturer, Jan. 10 at 12, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Robert Lavers, Southampton, grocer, Jan. 8 at 12, Court of Bankruptcy, London.—**John Hawke**, King William-street, London, hatter, Jan. 8 at 1, Court of Bankruptcy, London.—**Frederick La Mark** and **George La Mark**, Water-lane, Tower-street, London, shipbrokers, Jan. 8 at 11, Court of Bankruptcy, London.—**John Benjamin Daines** and **Edward Bradstock**, Farringdon-street, London, glass merchants, Jan. 10 at 11, Court of Bankruptcy, London.—**Henry Edward Gerlach**, Newcastle-upon-Tyne, merchant, Jan. 9 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—**William Henry Boon**, Plymouth, Devonshire, ironmonger, Jan. 9 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Edwin Litchfield, Ipswich, Suffolk, upholsterer.—**Joseph Seelie**, Freeschool-street, Horsleydown, Southwark, Surrey, rectifier.—**Thos. Kitelee**, Chesham, Buckinghamshire, miller.—**William Pike**, Reading, Berkshire, tobacconist.—**James Bennett**, Hay-hill, Berkeley-square, Middlesex, builder.—**Henry James Hogg**, Landport, Portsea, Hampshire, auctioneer.—**Alfred Allen Sutterby**, Stoke Ferry, Norfolk, grocer.—**Charles Maxwell Wilkinson**, Ulverston, Lancashire, wine merchant.—**William Meadowcroft**, Rochdale, Lancashire, cotton spinner.

SCOTCH SEQUESTRATION.

James Bogie, Uigle, Kintyre, Argyll, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Stevens, Long Sutton, Somersetshire, blacksmith, Jan. 17 at 10, County Court of Somersetshire, at Langport.—**Ansell**, Broadstairs, Isle of Thanet, Kent, baker, Dec. 21 at 10, County Court of Kent, at Margate.—**Thomas Hart**, Birmingham, out of business, Jan. 11 at 11, County Court of Warwickshire, at Birmingham.—**George Warmington**, Birmingham, schoolmaster, Jan. 11 at 11, County Court of Warwickshire, at Birmingham.—**Edward Cope**, Birmingham, wine agent, Dec. 21 at 11, County Court of Warwickshire, at Birmingham.—**William Hawker**, Birmingham, bricklayer, Jan. 11 at 11, County Court of Warwickshire, at Birmingham.—**John Ryland**, Aston, near Birmingham, fellmonger, Jan. 11 at 11, County Court of Warwickshire, at Birmingham.—**aac Woolley**, Birmingham, baker, Jan. 11 at 11, County Court of Warwickshire, at Birmingham.—**Jesse Cooper**, Birmingham, greengrocer, Jan. 11 at 11, County Court of Warwickshire, at Birmingham.—**Joseph Troman Shore**, Dudley, Worcestershire, beerseller, Dec. 31 at 3, County Court of Worcestershire, at Dudley.

Saturday, Dec. 14.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Roberts, Ross, Herefordshire, coal miner, No. 72,678 C.; **Nehemiah Marfell**, assignee.—**Morgan Evans**, Llanelly, Carmarthenshire, victualler, No. 72,890 C.; **William James**, assignee.—**Charles Mercer**, Chesterfield, Derbyshire, spirit agent, No. 73,022 C.; **Joseph Eyre** and **William Nicholson**, assignees.—**Robert Hobson**, Briggate, Leeds, Yorkshire, brush manufacturer, No. 73,050 C.; **Wm. Nelson**, assignee.—**John Mitchell**, Bradford, Yorkshire, corn miller, No. 73,054 C.; **John Mitchell** and **William Terry**, assignees.—**Amos Smith**, Addingham, near Skipton, Yorkshire, grocer, No. 73,057 C.; **John Wm. Gatecliff**, assignee.—**George Coulson**, Scarborough, Yorkshire, stonemason, No. 73,078 C.; **John Cook**, assignee.—**Henry Rathbone**, Chester, labourer, No. 70,687 C.; **George C. Parker**, assignee.—**Henry Richards**, Milton-st., Dorset-square, Middlesex, attorney-at-law, No. 56,748 T.; **Samuel Sturgis**, gentleman, new assignee, in place of **Charles Maoy**, removed.—**Henry Day**, Coventry, Warwickshire, ribbon manufacturer, No. 72,702 C.; **Thos. Dodd**, assignee.—**Edward Wood**, Old-street, St. Luke's, Middlesex, carman, No. 61,305 T.; **Andrew Andrews**, assignee.

Saturday, Dec. 14.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Francis Gange, Mary-st., Crozier-st., Lambeth, Surrey, foreman to a colour manufacturer: in the Debtors Prison for London and Middlesex.—**John Piper** the elder, Turnham-green, Middlesex, market gardener: in the Debtors Prison for London and Middlesex.—**Thomas Saml. Wallis**, Herne-place, Herne-hill, Camberwell, Surrey, professor of music: in the Debtors Prison for London and Middlesex.—**Thomas Bailey**, Circus-st., New-road, St. Marylebone, Middlesex, carrier: in the Debtors Prison for London and Middlesex.—**J. Nathan**, Windsor-street, Bishopsgate-st., London, cab driver: in the Debtors Prison for London and Middlesex.—**John M. Derick**, Great Portland-st., Oxford-st., Middlesex, architect: in the Queen's Prison.—**John Young**, Bury-street, St. James's, Middlesex, not in any trade: in the Queen's Prison.—**D. Enescoe**, Upper Thames-street, Blackfriars, London, hardwareman: in the Debtors Prison for London and Middlesex.—**James Gray**, Clarendon-place, Clarendon-square, Somers-town, Middlesex, baker: in the Debtors Prison for London and Middlesex.—**Marcus M'Laughlin**, Southwark-bridge-road, Southwark, Surrey, ginger beer manufacturer: in the Queen's Prison.—**Wm. Skinner**, Lock-square, Walworth, Surrey, inspector of hawkers' licenses: in the Gaol of Horsemonger-lane.—**Isaac Cockley**, York-buildings, Mill-pond-st., Bermondsey, Surrey, cheesemonger: in the Debtors Prison for London and Middlesex.—**Edward Alexander Gervin**, Dover-street, Piccadilly, Middlesex, dentist: in the Debtors Prison for London and Middlesex.—**John Slater**, King-st., Golden-sq., Middlesex, tailor: in the Debtors Prison for London and Middlesex.—**John Daniels**, Murray-street, New North-road, Hoxton, Middlesex, builder: in the Debtors Prison for London and Middlesex.—**Christopher Musgrave**, Margaret-street, Cavendish-square, Middlesex, gentleman: in the Debtors Prison for London and Middlesex.—**Wm. Longley**, Eaton-place, North-row, Park-lane, Oxford-street, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—**Wm. Robinson**, High-street, Camden-town, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—**J. Livingston**, Park-road, New Peckham, Surrey, patentee for securing houses from destruction by fire: in the Debtors Prison for London and Middlesex.—**James Pearce**, Little Bell-alley, London-wall, London, cheesemonger: in the Debtors Prison for London and Middlesex.—**James Bryson** the younger, Air-street, Piccadilly, Middlesex, merchant's clerk: in the Debtors Prison for London and Middlesex.—**Robert M'Laren**, High-st., Old Peckham, Surrey, jobbing gardener: in the Gaol of Horsemonger-lane.—**Thomas Briggs** the elder, Kelfield, Yorkshire, farmer: in the Gaol of York.—**Joseph Booth**, Birkby, near Huddersfield, Yorkshire, grocer: in the Gaol of York.—**A. Little**, York, draper: in the Gaol of York.—**John B. Miles**, Wordsley, near Stourbridge, Worcestershire, grocer: in the Gaol of Worcester.—**Henry M'Callen**, Liverpool, clerk: in the Gaol of Lancaster.—**John Pawsey**, Stowmarket, Suffolk,

cabinet maker: in the Gaol of Ipswich.—*Jane Forster*, Stanwix, Cumberland, servant: in the Gaol of Carlisle.—*Wm. J. Hutchinson*, York, attorney-at-law: in the Gaol of York.—*Richard Bains*, West Hoathly, Sussex, licensed victualler: in the Gaol of Lewes.—*John Walton*, Sutton, near Woodbridge, Suffolk, labourer: in the Gaol of Ipswich.—*William Eddies*, Birmingham, licensed victualler: in the Gaol of Coventry.—*Austin Yorke*, Liverpool, master of the brig Orwall Lass: in the Gaol of Lancaster.—*Wm. Lee Yates*, Liverpool, shopman to a tobacconist: in the Gaol of Lancaster.—*James Leeming*, Preston, Lancashire, farmer: in the Gaol of Lancaster.—*Wm. Ellis*, Liverpool, letter-press printer: in the Gaol of Lancaster.—*Edward Harrison*, Bury, Lancashire, baker: in the Gaol of Lancaster.—*Henry Brown*, Manchester, baker: in the Gaol of Lancaster.—*Henry Benson*, Manchester, fancy box maker: in the Gaol of Lancaster.—*J. Walmsley*, Wrangling, Blackburn, Lancashire, boiler maker: in the Gaol of Lancaster.—*John Wright*, Salford, Manchester, grocer: in the Gaol of Lancaster.—*A. Taylor*, Manchester, cotton waste dealer: in the Gaol of Lancaster.—*Wm. Baskett*, Newport, Monmouthshire, grocer: in the Gaol of Monmouth.—*Isaac Clarke*, Heigham, Norfolk, butcher: in the Gaol of Norwich.

INSOLVENT DEBTORS' DIVIDENDS.

Thomas Wm. Berry, Lower Broughton, Manchester, accountant: 2s. 1d. in the pound.—*John Millington*, Minchinhampton, Gloucestershire, out of business: 1s. 2½d. in the pound.—*Wm. Piskorn*, deceased, Lower Park-street, Greenwich, Kent, lieutenant in the Navy, on half-pay: 2s. 1d. in the pound.—*James Cannon*, Gloucester-place, Larkhall-lane, Clapham, Surrey, lieutenant in the Army, on half-pay: 2s. 3½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

ERRATUM.—In the Gazette of Friday last, the day of meeting for auditing the accounts of *John Thomas Holland*, Coventry, builder, should have been the "23rd January," and not the "28th," as therein stated.

FRIDAY, DECEMBER 20.

BANKRUPTS.

JOHN VOLLER, Landport, Portsea, Southampton, builder, dealer and chapman, Jan. 4 at half-past 11, and Feb. 15 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. M'Low, 65, Chancery-lane, London.—Petition dated Dec. 16.

SAMUEL JEFFRYES, Eltham, Kent, maltster, dealer and chapman, Jan. 4 at half-past 1, and Feb. 15 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. T. & E. Hilleary, 13, Fenchurch-st., London.—Petition dated Dec. 16.

THOMAS EVANS, Fen Ditton, Cambridgeshire, innkeeper, dealer and chapman, Dec. 31 at 2, and Jan. 31 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Twiss & Marshall, Cambridge; Trinder & Eyre, 1, John-street, Bedford-row.—Petition filed Dec. 17.

JAMES MAYHEW CANSDALE, Norwich, draper, dealer and chapman, Dec. 31 and Jan. 31 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Jones, 15, Sizelane, Bucklersbury.—Petition filed Dec. 12.

SAMUEL WILLETT the elder, Cheltenham, Gloucestershire, plumber and glazier, dealer and chapman, Jan. 1 and 29 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Packwood, Cheltenham.—Petition filed Dec. 18.

JOHN LINDSAY, Neath, Glamorganshire, grocer, dealer and chapman, Jan. 1 at 12, and Jan. 29 at 1, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Brittan & Sons, Bristol.—Petition filed Dec. 11.

WILLIAM LAYCOCK, Liverpool, iron merchant, commission agent, dealer and chapman, Jan. 6 and 28 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Dodge, Liverpool.—Petition dated Dec. 18.

CHARLES ROBINSON, Liverpool, sailmaker, dealer and chapman, Jan. 2 and 31 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Holden, Liverpool.—Petition filed Dec. 16.

SEPTIMUS FREDERICK MARTYN, Bishop Auckland, Durham, draper, Dec. 31 at 12, and Feb. 11 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sol. Cooper, Sunderland.—Petition filed Dec. 5.

MEETINGS.

Benj. Tebbit, Ventnor, Isle of Wight, Southampton, draper, Jan. 3 at 12, Court of Bankruptcy, London, last ex.; Jan. 8 at 1, aud. ac.—*Jos. Raphael*, Liverpool, jeweller, Dec. 31 at 11, District Court of Bankruptcy, Liverpool, last ex.—*Wm. Taylor*, Newcastle-upon-Tyne, auctioneer, Jan. 10 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Thos. Dalby*, Hythe, Kent, builder, Jan. 1 at 12, Court of Bankruptcy, London, aud. ac.—*Owen Gray*, Great Town-st., London, builder, Jan. 8 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Wm. Goode the younger*, Mosemouth, linendraper, Jan. 8 at 12, Court of Bankruptcy, London, aud. ac.—*Frederick La Mark* and *George La Mark*, Water-lane, Tower-st., London, ship brokers, Jan. 8 at 11, Court of Bankruptcy, London, aud. ac.—*Jos. Chas. Byrne*, Pall-mall East, Middlesex, and Sun-court, Cornhill, London, emigration agent, Jan. 14 at 11, Court of Bankruptcy, London, aud. ac.—*John Hall*, Brighton, Sussex, victualler, Jan. 14 at 12, Court of Bankruptcy, London, aud. ac.—*Charles Richmond Pottinger*, Hardwick-place, Commercial-road East, Middlesex, wine merchant, Jan. 14 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Huntley*, Hart-st., Covent-garden, Middlesex, licensed victualler, Jan. 14 at 11, Court of Bankruptcy, London, aud. ac.—*Adolphus Miller*, Emsworth, Southampton, ropemaker, Jan. 10 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Jas. Scovcroft*, Haverford-west, scrivener, Jan. 2 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*James Bird*, Cwmavon, Glamorganshire, grocer, Jan. 9 at half-past 11, District Court of Bankruptcy, Bristol, aud. ac.; Jan. 14 at half-past 11, div.—*John Williams*, Newport, Monmouthshire, auctioneer, Jan. 9 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Jan. 14 at 11, div.—*Wm. Barnes*, Miln-row, Lancashire, flannel manufacturer, Jan. 9 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Schofield*, Moorhouse, near Milnrow, Rochdale, Lancashire, woollen manufacturer, Jan. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Jos. Birbeck*, Manchester, hackney coach proprietor, Jan. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*George Radford*, Alfreton, Derbyshire, builder and carpenter, Jan. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Mary Bakewell*, Manchester, size manufacturer, Jan. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 13 at 12, div.—*Wm. Shaw and Samuel Shaw*, Upper Mill and Grasscroft, Saddleworth, Yorkshire, timber merchants, Jan. 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 21 at 12, div.—*Christopher Hughes* and *Geo. Rutwood*, Manchester, fustian manufacturers, Jan. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Henry Edward Gerlach*, Newcastle-upon-Tyne, merchant, Jan. 9 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Render* and *Edward Render*, York, tailors, Jan. 14 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Robert Loosemore*, Tiverton, Devonshire, scrivener, Jan. 8 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Jan. 13 at 11, div.—*John Page*, Sidmouth, Devonshire, butcher, Jan. 14 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Jan. 15 at 11, div.—*Samuel Parnall*, East Loos, Cornwall, grocer, Jan. 22 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Jan. 23 at 1, div.—*John Crosthwaite*, Liverpool, merchant, Dec. 31 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Greenup*, Eccleston, Prescot, Lancashire, coal proprietor, Jan. 7 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Gray* and *Robert Williams*, Chester, engineers, Jan. 13 at 12, District Court of Bankruptcy, Liverpool, aud. ac.; Jan. 14 at 12, div.—*Joak Crossley* and *Jonathan Crossley*, Bangor, Carnarvonshire, wine merchants, Jan. 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Charles O'Neil*, Golden-sq., Middlesex, picture dealer, Jan. 10 at 11, Court of Bankruptcy, London, div.—*John Thompson*, Piccadilly, Middlesex, linendraper, Jan. 15 at 2, Court of Bankruptcy, London, div.—*Joseph Johnson the younger*, Uxbridge, Middlesex, and Iver, Buckinghamshire, common carrier, Jan. 15 at 2, Court of Bankruptcy, London, fin. div.—*James H. Arthur*, Garlick-hill, London, wholesale stationer, Jan. 14 at 11, Court of Bankruptcy, London, div.—*Bernard Angle*, Moorfields, London, licensed victualler, Jan. 11 at 11, Court of Bankruptcy, London, fin. div.—*Albert Paine* and *George F. Davies*, High-street, Southwark, Surrey, woollen drapers, Jan. 11 at half-past 1, Court of Bankruptcy, London, div.—*Wm. Pymon*, St. Osyth, Essex, corn merchant, Jan. 11

at half-past 1, Court of Bankruptcy, London, div.—*Alfred Cranston*, Wimborne Minster, Dorsetshire, cabinet maker, Jan. 11 at 1, Court of Bankruptcy, London, div.—*Edwin Hyrons*, John-st., Tottenham-court-road, Middlesex, pianoforte manufacturer, Jan. 11 at half-past 11, Court of Bankruptcy, London, div.—*Robert Berker* and *Henry Davey*, Bicester, Oxfordshire, drapers, Jan. 11 at half-past 11, Court of Bankruptcy, London, div.—*Joseph S. Hodge* and *James Culpin*, New Oxford-street, Middlesex, tailors, Jan. 11 at half-past 12, Court of Bankruptcy, London, div.—*Richard Groves Ward*, Brownlow-st., Drury-lane, Middlesex, coach carrier, Jan. 13 at half-past 11, Court of Bankruptcy, London, div.—*James G. Besch*, Woolwich, Kent, licensed victualler, Jan. 13 at half-past 12, Court of Bankruptcy, London, div.—*Fred. Bennett*, Clapham-rise, Clapham, Surrey, soda water manufacturer, Jan. 13 at 12, Court of Bankruptcy, London, div.—*John Leigh*, Liverpool, merchant, Jan. 13 at half-past 12, Court of Bankruptcy, London, div.—*Thomas W. Dornford*, Suffolk-lane, Cannon-st., London, wine merchant, Jan. 13 at 11, Court of Bankruptcy, London, div.—*John N. Reynolds*, Upper-street, Islington, Middlesex, grocer, Jan. 11 at 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Samuel Lock, Stoke D'Auberton, Surrey, auctioneer, Jan. 14 at 1, Court of Bankruptcy, London.—*Thomas Wesley*, Newport Pagnel, Buckinghamshire, hotel keeper, Jan. 21 at half-past 11, Court of Bankruptcy, London.—*Robert Turner*, Worthing, Sussex, draper, Jan. 21 at 11, Court of Bankruptcy, London.—*Chas. Jones*, Llanfyllin, Montgomeryshire, grocer, Jan. 13 at 12, District Court of Bankruptcy, Liverpool.—*Jas. Taylor*, Longacres, Rochdale, Lancashire, cotton spinner, Jan. 15 at 12, District Court of Bankruptcy, Manchester.—*Charles Pearson*, Sheffield, Yorkshire, licensed victualler, Jan. 18 at 10, District Court of Bankruptcy, Sheffield.—*Thomas Edwards*, Birmingham, ironfounder, Jan. 14 at 12, District Court of Bankruptcy, Birmingham.—*John Livesey* and *John Pimm*, New Lenton, Nottinghamshire, lacemakers, Jan. 24 at 10, District Court of Bankruptcy, Nottingham.—*Henry Ward*, Holbeach, Lincolnshire, draper, Jan. 24 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Thomas Booker the elder and *Thomas Booker* the younger, Mark-lane, London, merchants.—*William Barnes*, Hangerford, Berkshire, auctioneer.—*John Thomas Brameld*, Titchborne-street and Great Windmill-street, Westminster, Middlesex, china dealer.—*John Berryhill Cross*, Cornhill, London, watchmaker.—*John Hayward*, Hisland, Oswestry, Shropshire, scrivener.—*Wm. H. De Wolf*, Liverpool, merchant.—*Joshua Woodward*, Olive-mills, Loxley, Bradford, Ecclefield, Yorkshire, paper manufacturer.

PETITION ANNULLLED.

William Mayer, Bateman's-row, Shoreditch, Middlesex, timber merchant.

PARTNERSHIP DISSOLVED.

Wm. Owen Tucker and *John Stevenson*, Sun-chambers, Threadneedle-street, London, and Brighton, Sussex, attorneys at law and solicitors in Chancery, (under the name or firm of Tucker & Stevenson).

SCOTCH SEQUESTRATIONS.

John Weir, deceased, Cumnock, ironmonger.—*D. Russell*, Glasgow, printer.—*Alex. Harthill* and *Wm. Salmond*, Glasgow, printers.—*James Rougrie*, Greenock, cabinet maker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thos. Browning, South Fen, Bourne, Lincolnshire, farmer, Jan. 7 at 12, County Court of Lincolnshire, at Bourne.—*John Holmes*, Halifax, Yorkshire, woolstapler, Jan. 3 at 10, County Court of Yorkshire, at Halifax.—*Joseph C. Fenton*, Smethwick, Staffordshire, retail brewer, Jan. 1 at 2, County Court of Staffordshire, at Oldbury.—*Paul Greenwood*, Halifax, Yorkshire, tailor, Jan. 3 at 10, County Court of Yorkshire, at Halifax.—*John Windley*, Leicester, printer, Jan. 8 at 10, County Court of Leicestershire, at Leicester.—*Alice Holmes*, Halifax, Yorkshire, spinster, Jan. 3 at 10, County Court of Yorkshire, at Halifax.—*Richard Holmes*, Halifax, York-

shire, woollorter, Jan. 3 at 10, County Court of Yorkshire, at Halifax.—*Wm. Howard* the elder, Gainsborough, Lincolnshire, innkeeper, Dec. 31 at 11, County Court of Yorkshire, at Goole.—*John Davis*, Worcester, out of business, Jan. 15 at 10, County Court of Worcestershire, at Worcester.—*Wm. Thomas Goodwin*, Northampton, farm servant, Jan. 14 at 12, County Court of Oxfordshire, at Banbury.—*James Remnant*, Rochester, Kent, coachsmith, Jan. 9 at 10, County Court of Kent, at Rochester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 3 at 10, before Mr. Commissioner LAW.

Wm. Bannatyne, North-end, Hampstead, Middlesex, in no trade.—*Henry Wm. Groves*, Sidney-street, Commercial-road East, Middlesex, mast maker.

Jan. 4 at 11, before the CHIEF COMMISSIONER.

Chas. Hemwood, Webber-row, Webber-street, Blackfriars-road, Surrey, colour manufacturer.—*J. Howes*, St. Katherine-dock Hotel, East Smithfield, Middlesex, porter.—*W. H. W. Cross*, Surrey-street, Strand, Middlesex, attorney-at-law.—*Thomas Cook*, Peerless-place, City-road, Middlesex, cabinet maker.—*Alfred Jackson*, Broad-street, St. Giles's, Middlesex, grocer.

Jan. 4 at 10, before Mr. Commissioner LAW.

Anthony Blown, Great Drummond-street, Euston-square, Middlesex, in no trade.—*David Davis*, Piccadilly, Middlesex, dealer in clothes.—*William Hoare*, Euston-square, Middlesex, lodging-house keeper.

Jan. 4 at 11, before Mr. Commissioner PHILLIPS.

George Thomsett, Janet-terrace, Arbour-square, Commercial-road East, Middlesex, pilot.—*Wm. Thos. Roper*, Charles-street, Notting-hill, Kensington, Middlesex, architect.—*William Armistead*, Beetha-villas, Barnsbury-park, Islington, collector of parochial rates for the parish of St. Mary, Islington.—*Richard Cuttill*, Camden-cottages, Camden-town, Middlesex, out of business.—*Mary Ann Scargill*, widow, Oxford-terrace, Hyde-park, Middlesex.

Jan. 6 at 10, before Mr. Commissioner LAW.

Thomas Edward Malone, Great Sutton-street, Clerkenwell, Middlesex, leather-case maker.

Jan. 6 at 11, before Mr. Commissioner PHILLIPS.

Wm. Dickson, Tillotson-place, Waterloo-bridge-road, Surrey, clerk in the Admiralty-office, Somerset-house, Strand, Middlesex.—*John Waite*, Ponsonby-terrace, Vauxhall-bridge-road, Westminster, out of business.—*Walter Bawdon*, Silver-street, Notting-hill, Middlesex, whitesmith.—*James Adams*, Princes-road, Bermondsey, Surrey, master mariner.

Adjourned.

Jan. 6 at 10, before Mr. Commissioner LAW.

R. Saxby, Sutton-at-Hone, near Dartford, Kent, miller.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 3 at 11, before the CHIEF COMMISSIONER.

Robert Nicol, Rose-cottage, Peckham-rye, Surrey, and Idol-lane, Tower-street, London, grocer.—*James Miller*, Florence-terrace, Grange-road, Bermondsey, Surrey, drug broker.—*Edward Clark*, College-place, Camden-town, Middlesex, out of business.—*John Young*, Bury-street, St. James's, Middlesex, gentleman.—*John William Dupere*, Crown-row, Walworth-road, Surrey, poultryer.—*Francis Gange*, Mary-street, Crosser-street, Lambeth, Surrey, traveller to a colour manufacturer.—*William Ised*, Surrey-square, Old Kent-road, Surrey, out of business.

Jan. 3 at 10, before Mr. Commissioner LAW.

John Gapp, Upper Berkeley-street, Portman-square, Middlesex, out of business.—*William Henry Longman*, Great St. Andrew-street, Seven-dials, St. Giles, Middlesex, engraver.—*William Hodge*, Haymarket, Middlesex, in no trade.—*Edwin Thomas Dolby*, Camden-street North, Camden-town, Middlesex, lithographic artist.—*Richard Lewis*, Collier-street, Pentonville-hill, Pentonville, Middlesex, not in any business.—*Samuel Marchant*, Salem-place, Walham-green, Middlesex, ironmonger.

Jan. 3 at 11, before Mr. Commissioner PHILLIPS.

Richard Webb, London-road, Southwark, Surrey, out of business.—*Alfred Whaley Cole*, Minerva-street, Eaton-square, Pimlico, Middlesex, barrister-at-law.—*John Read* the elder, Upper Brook-street, Grosvenor-square, Middlesex, tailor.—*Andrew Cohen*, Guildford-street, Russell-square, Middlesex, gentleman.—*Wm. Downing Bruce*, Bridge-street, Westminster, Middlesex, gentleman.—*W. Cutress*, Winchester-place, Southwark-bridge-road, Surrey, builder and agent to a fire-office.—*John Silcock*, Pickering-place, Lower-road, Islington, Middlesex, ham and beef shopkeeper.—*Howlett John Crisp*, Brand-street, Blandford-square, Marylebone, Middlesex, out of business.

Jan. 4 at 11, before Mr. Commissioner PHILLIPS.

Jonathan Patten, Belvedere-road, Lambeth, Surrey, Queen's messenger.—*George Willoughby*, Godfrey-row, Shacklewell, Middlesex, clerk in the spirit quay, London Docks.—*Thomas Samuel Wallis*, Herne-place, Herne-hill, Camberwell, Surrey, professor of music.

Jan. 4 at 11, before the CHIEF COMMISSIONER.

Henry Martin Jackson, Hemsworth-street, Hoxton, Middlesex, out of business.

Jan. 6 at 10, before Mr. Commissioner LAW.

William Skinner, Lock-square, St. Mary, Newington, York-street, Walworth, Surrey, inspector of hawkers' licenses to her Majesty's Commissioners of Stamps.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Thomas Wilding, Liverpool, out of business, No. 73,067; *Francis Rawlinson*, assignee.—*David Griffiths*, Liverpool, out of business, No. 73,114; *Edward Price*, assignee.—*Samuel Hulloy*, Ashton-under-Lyne, out of employment, No. 73,081; *Thomas Levick*, assignee.—*George Shaw*, Denton, near Ashton-under-Lyne, superintendent of waterworks, No. 73,083; *Charles Knott*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Jan. 4 at 11.

Henry M'Callen, Liverpool, emigration-office clerk.—*Robert Robson*, Liverpool, brazier.—*William Lee Yates*, Liverpool, shopman to a tobacconist.—*William Ellis*, Liverpool, letter-press printer.—*Richard Batty*, Lancaster, out of employment.—*James Clarke*, Liverpool, out of business.—*Edward Harrison*, Manchester, cheese factor.—*Henry Brown*, Manchester, out of business.—*Austin Yorke*, Liverpool, master of the brig Orwell Lass.—*Frederick Johnson* the younger, Manchester, rent collector.—*Aquila Taylor*, Manchester, out of business.—*Joseph Yeardley*, Salford, out of business.—*James Leeming*, Preston, out of business.—*Henry Benson*, Manchester, fancy-box maker.—*James Pollard*, Liverpool, marine store dealer.—*Richard Pasackerley*, Liverpool, stable-keeper.

At the County Court of Staffordshire, at STAFFORD, Jan. 6 at 12.

James Tagg, Forebridge, Castle Church, baker.

At the County Court of Worcestershire, at WORCESTER, Jan. 15 at 10.

Richard Nowell, Bromsgrove, out of business.—*William Wadley*, Berrow, out of business.—*John Brown Miles*, Wordsley, out of business.

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The Jurist

No. 729—VOL. XIV. DECEMBER 28, 1850.

PRICE 1s.

* * The following are the Names of the Gentlemen who favour THE JURIST with Reports of Cases argued and decided in the several Courts of Law and Equity:—

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LONDON, DECEMBER 28, 1850.

THE near approach of quarter sessions induces us to resume our summary of cases decided by the Court of Criminal Appeal*.

Arrest.—It is an important question, whether a person is justified in slaying one whom he knows to be guilty of felony, and whose arrest he cannot otherwise effect. The rule seems to be, that if a person, having actually committed a felony, will not suffer himself to be arrested, but stand on his defence or flee, so that he cannot possibly be apprehended by those who pursue him, he may lawfully be slain by such as know that he has committed the felony. (See note, 14 Jur., part 1, p. 1052, and authorities there cited). But if this fact be not known to them, they are not justified. (*Reg. v. Dadson*, 14 Jur., part 1, p. 1051). In that case a constable, who was employed to guard a copse from which wood had been stolen, saw a man come out of the copse carrying wood; the man, on being called to, ran away, whereupon the constable shot him in the leg. The constable was held, by the Court of Criminal Appeal, to be properly convicted of shooting with intent to do grievous bodily harm, as, at the time he fired, the fact that a felony had been committed was unknown to him, although the man was proved to have been guilty of a felony in stealing the wood.

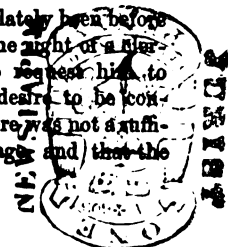
Autrefois acquit.—Whether an acquittal upon an indictment for murder can be successfully pleaded to an indictment for an assault, which was included in the former indictment, but which did not cause the

death of the deceased, is not yet decided, the Court of Criminal Appeal differing in their opinion upon the case of the *Birds*, and having directed it to be re-argued next term.

Forgery.—The prisoner was indicted for uttering the following instrument:—"Pleas to sen by bearer a quantity of basket nails, a clasp, for E. Lloyd;" which was described as a warrant, order, and request for the delivery of goods, and was set out in some of the counts. The prisoner had been employed by Mr. Lloyd, who was a customer of the prosecutor. It was objected, that, as the indictment alleged the document to be a warrant, order, and request, it was necessary that it should be all three, and that it was not an order within the statute, as the person to whom it was addressed was not bound to obey it. The Court of Criminal Appeal decided, that the instrument having been set out in hæc verba, and proved as laid, the prisoner was properly convicted. (*Reg. v. Williams*, 14 Jur., part 1, p. 1052). See *Reg. v. Gilchrist* (Car. & M. 232) and *Reg. v. Mary Williams*, (2 Car. & K. 51). In the latter case Wightman, J., held, that an instrument described in the indictment as a warrant and order, must be both, although it was set out in the indictment; but there the instrument was decided to be a warrant only, though not an order. From that case also, and from *Reg. v. Newton*, (2 Moo. C. C. 59), the document in question would appear to be only a request, and not a warrant or order.

Marriage.—An important case has lately been before the Court of Criminal Appeal, upon the right of a bigamyman to require that persons, who request him to marry them, should first express a desire to be confirmed; but as the Court held that there was not a sufficient tender of the parties for marriage, and that the

* Former reviews of criminal cases will be found ante, p. 233, 241. The decision in *Reg. v. Watts*, there referred to, has since been reported in THE JURIST, (14 Jur., part 1, p. 870).



indictment was bad in not shewing that the man and woman were parties who might lawfully be married, the main question was not decided. (*Reg. v. Moorhouse James*, Clerk, 14 Jur., part 1, p. 940).

Practice.—In our former article on this subject (ante, p. 242) we said that it had been decided in Ireland, that a prisoner might plead over after demurring to an indictment for a felony; (*Reg. v. Duffy*, 4 Cox, 24); but that it had been ruled to the contrary in this country, in *Reg. v. Faiderman*, at the Central Criminal Court. Since then we find that Erle, J., has held that the judgment on demurrer in such cases is final. His Lordship said that the subject had received his most particular attention, and his opinion agreed with that of the late Chief Justice of the Court of Common Pleas; and that although, in cases where the life of a prisoner was at stake, it had been the practice to allow a prisoner to plead over, yet at all events, in other cases, it was not expedient to allow this as a matter of course. (*Reg. v. Hendy*, 4 Cox, 244. The prisoner was indicted for sending a threatening letter).

Receiving of stolen Goods.—An indictment, in the first count, charged the prisoner with larceny, on which the jury found a verdict of not guilty. In a subsequent count he was charged with having received the goods "so as aforesaid feloniously stolen," on which the jury found a verdict of guilty. The Court of Criminal Appeal held, on motion in arrest of judgment, that there was no repugnancy; and that although the word "aforesaid," in a subsequent count, virtually incorporated all the necessary averments as to time and place in the former count, the words of reference here did not necessarily mean that the goods so received had been stolen by the person named in the first count, but only that they had been before then stolen by some person. (*Reg. v. Craddock*, 14 Jur., part 1, p. 1031). This objection, however, was held good when it was taken before verdict. (*Reg. v. Woolford*, 1 Moo. & R. 384, coram Patteson, J.)

In the late case of *Reg. v. Wiley** the facts were, that two men (Williamson and Strachan) had stolen fowls; they took them in a bag to the house of Wiley's father, and thence Strachan carried the bag, accompanied by Williamson and Wiley, the latter carrying a light, into the stable of Wiley, who had exclusive control over the stable, and who was to purchase the fowls; but before anything was done the police went in, and found the bag, unopened, lying on the floor, and the three prisoners standing around. Not a word was said. The two were indicted for stealing, and Wiley for receiving. The question was, whether possession had passed to Wiley, so as to render him a receiver in point of law. The Court differed in opinion, but a majority held, that, under the circumstances, he could not be convicted of receiving.

Soldier.—It has lately been decided, that a soldier may be indicted, and if convicted imprisoned, for disobeying an order of two justices for the payment of money for the maintenance of his bastard child. It was contended, that, being a soldier, he was exempt from imprisonment for such an offence, which was rather of a civil than criminal character; and also,

* November 26, 1850, Court of Criminal Appeal, not yet reported.

that an indictment would not lie for disobeying the order of two justices. The Court, however, overruled both objections. (*Reg. v. Arthur Ferrall*, Dec. 20, 1850, not yet reported).

We have been requested to publish the following:—

TO J. E. DOWDESWELL, Esq.

London, Nov. 28, 1850.

Sir,—The undersigned Solicitors beg leave, on your retirement from the office of Master of the High Court of Chancery, to express the deep sense which they feel of the great ability and discretion with which you have discharged your important duties for the long period of upwards of thirty years, and at the same time to acknowledge the marked courtesy which they and their branch of the Profession have invariably experienced at your hands:—

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7, Park-place, St. James's, Dec. 3, 1850.

Gentlemen,—I beg that you and the very respectable members of the Profession whose signatures are affixed to the letter which I had yesterday the honour to receive, will accept my sincere thanks for the very flattering terms in which that letter is expressed.

If I have been enabled to perform the duties of the office which I recently filled to the satisfaction of your branch of the Profession, it is to be attributed, in a great measure, to the knowledge, skill, and ability of those who have been in the habit of attending me. I am not aware that I can claim any merit for having treated the gentlemen so attending me with any marked courtesy, but should this have been the case, it has been owing to the civility and attention which I uniformly received from them, and which I considered entitled them to be treated by equal civility and attention from me. With sincere wishes for your health and happiness, I remain, most faithfully yours,

J. E. DOWDESWELL

Review.

Practical Remarks upon the injurious Operation of the Wills Act in Respect to the Execution of Wills; with Suggestions for its Amendment. By an Advocate in Doctors' Commons. [William Benning & Co., 1850.]

(Continued from p. 492).

The author of the pamphlet will probably be obliged to us for calling his attention to the following striking and judicious remarks—made by Mr. Hayes on the new law very shortly after it was passed:—

"With respect to the policy of the new law, as regards the execution and attestation of wills, opinions differ widely. There was wisdom, perhaps, in establishing one invariable mode of authentication; but then a form designed for common use (personal property being more or less freely bestowed on every man) should have been of the simplest kind, and have been prescribed in the most unambiguous language. There is just reason to apprehend, that, from the total neglect of both these considerations, many involuntary intestacies will occur, and much hardship be consequently inflicted. While the range of testamentary volition is enlarged, its convenient exercise is crippled. The facilities afforded by the old law of testaments (as distinguished from the law of devises) for the final arrangement of a man's affairs, at a moment when ceremony would be impertinent; for the unsuspected diversion of his bounty into new channels, when secrecy may be prudence, or even a higher virtue; for the indulgence of an inclination, which statutes may thwart, but can never extinguish, to add, alter, obliterate, restore, as prosperous or untoward fortune, broken friendships, returning kindness, or, perhaps, fancy may dictate—all these must now be exchanged, by the great body of the people, for certain rigid observances; and the general feeling, so long enjoyed, of perfect testamentary freedom, as regards personal property—that ever-fluctuating mass, demanding instant means to meet the new circumstances which its fluctuations create—must be succeeded by a general feeling of restraint. Such is the contracted character of laws, when legislation, selecting and magnifying a few cases of fraud, folly, or oppression, and studious chiefly to hit those partial blots, which it as often misses, forgets what ought to be its higher aim, the general convenience, and vainly labours to establish a system of civil discipline in the ordinary concerns of life. The principles which really guard the exercise of the proprietary right against injurious excess, and which place the great interests of society, as respects property, beyond the reach of individual caprice, are to be found in the law which governs the settlement of estates; within the limits prescribed by the policy of that law, the disposing power should be allowed to exert itself as freely as possible. It often happened, under the old law, that a will was void, as to freehold estates, from the non-observance of the statutory requisite of three witnesses, but that the heir, unable to reconcile the legal right with the moral obligation, gave effect to the declared intention of the testator. So general and inveterate is the impression as to the validity of unattested wills of personal estate, and so disproportionate and unsuitable are the ceremonies imposed to the circumstances of the great majority of testators*, that next of kin may be placed, yet more frequently, in

the same delicate position; and whether interest or good feeling shall prevail, the policy of the Legislature will be equally condemned. Two witnesses were required, under the notion that litigation would be greatly diminished if informal and imperfect papers were no longer admissible to probate; but the requisition, except so far as it may operate to diminish the number of valid wills, will hardly realise that expectation. Wills complying, but barely complying, with the forms prescribed by the act, may be most informal papers; so easy is it to multiply ceremonies—so difficult, where the public feeling and convenience are not in unison with the spirit of their institution, to secure their solemn observance. The testator and both* the witnesses may be marksmen; in short, the will may be well executed by making three blots, without disclosing the character of the instrument, without any clause of attestation, and perhaps without any really attesting witness. Nor would formality of execution, if formality could be enforced, insure accuracy of expression, for it is familiar, that very ill-penned wills are often executed and attested in the most orderly manner; questions of construction would probably bear the same proportion as before to the number of effective instruments, and, in consequence of the increased resort to advisers who have acquired legal forms without legal ideas, prove, perhaps, the more embarrassing, because springing from the worst source of obscurity—an unskilful use of technical language. Since acts of Parliament cannot endue men with business-like habits, the same class of persons who made loose memoranda before, will make them still, and frequent intestacies, to be silently endured, will be substituted for the litigation, more obtrusive, but less injurious, which occasionally sprung from imperfect papers, and was, indeed, the natural result of a free volition universally exercised. But even if the effects were fully answerable to the views of the framers, still it might be asked, why society at large should be deprived of a portion of its rational liberty for the protection of the improvident few, or for greater ease of the judicature? One consequence of the newly-imposed ceremonies will probably be to multiply the number of codicils—those dangerous appendages, but which will now be made the vehicles of small bequests liable to frequent alteration†." (1 Hayes's Introduction to Conveyancing, 367).

However, the learned and ingenious author of this pamphlet, in his zeal in advocating the rights, and protesting against what he terms the legal robbery, of legatees, appears to us rather to overlook that the question has another side—to forget that if cases of great hardship may, and undoubtedly do, occur towards deserving objects of a testator's bounty, there is no class of human beings, nay, of creeping things, more vile, less deserving of any indulgence in the construction of a statute, than the class of legacy-hunters—still more, than the class in whose favour testators often avail themselves of that absolute power which the law of this country gives to divert landed property out of its legitimate and equitable channel. A man marries an heiress, and becomes somehow, at her death without issue, absolute owner of her estates. Instead of giving them or letting them go to the heir-at-law of the family who had acquired or purchased those estates, of the same stock with his wife, the last just holder, as well as with the first purchaser, he leaves them by his will to some friend of his own, who may or may not be a just and honourable man. In all such cases, and they are many, in addition to the very large class of

* "The inconvenience of requiring the presence of two witnesses is very trifling, and it will be unnecessary to let them know that they are attesting a will." (Fourth Report of Real Property Commissioners). Now, as the act requires the joint presence of the witnesses, and as it would not be safe to dispense with subscription by them simul et semel, may not the inconvenience be great, and is not the very peculiarity of the ceremony equivalent to actual publication?"

* See Prest. Shep. Touch. 434.

† "The law would be rendered more simple, if the execution of deeds and wills were governed by similar rules." (Tyrrell's Suggestions, 167). Again, "More than one witness should not be necessary to the validity of any will, and he should not be required to sign in the presence of the testator." (Ib.)

ordinary legacy-hunting vermin cases, who shall say that a Court of justice, that a Court of equity, may not be, nay, ought not to be, even *astute* to discover legal, *technically* legal, reasons for setting aside the will? The author of the pamphlet is rather an advocate of the legatees; we are, we own, inclined to think the robbery of the heirs and next of kin the greater hardship. While he calls it (p. 74) "a mere sophism in morals" to allow the conscience, like the Courts, to act upon a "fallacious presumption of law," he says nothing of the moral duties of legatees or devisees to give up their ill-gotten property to the rightful owners; and he endeavours to wrest Paley's opinion to his side, though it is directly the other way as to real estate; and as to personal estate, which a man *has acquired by his own labour*, Paley only says, generally, he may give it to whom he pleases. Paley does not say that a legatee may honourably keep what some one has left him, to the detriment of a son, a nephew, or even a more distant relative. Suppose a bad-hearted madman (and there are many such who have not been legally declared incapable of managing their own affairs) takes it into his phantom-haunted brain to disinherit his son or nephew, or even a more distant heir, who, however, is the heir of those from whom his property came to him, the writer says nothing of the "sophism in morals," which allows the conscience to keep property so acquired. Men of high honour, indeed, do not keep it. There are such, but unfortunately they are few, and the high public morality of the Legislature should enable the Court to set aside such wills.

These considerations, however, are altogether apart and distinct from the question of rendering the intention of the Legislature passably intelligible. For as to Montesquieu's principle of legislation cited by the author, that "it is an essential article that the words of the laws should excite in everybody the same ideas," it is simply impossible, till man's nature as well as man's language are made very different from what they are at present. For, not to urge that the clearest exposition may fail for want of perspicuity in the mind of the recipient, what human composition out of pure mathematics has escaped being the subject of controversy, if human interests and human passions were concerned? Without going further, let the writer but take the advice of Dr. Johnson, and "attend to Lydiat's life and Galileo's end." Nay, Hobbes has given it as his opinion—and he was *haud sordidus auctor*—that had it been contrary to certain powerful human interests that the three angles of a triangle should be equal to two right angles, that proposition would have been fiercely disputed. (Leviathan).

London Gazettes.

TUESDAY, DECEMBER 24.

BANKRUPTS.

JOHN BURGOYNE PILLIN and GEORGE ALFRED PILLIN, Featherstone-buildings, Holborn, Middlesex, sword cutlers and beltmakers, dealers and chapmen, Jan. 3 at 1, and Feb. 4 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Piercy & Hawks, 15, Three Crown-square, Southwark.—Petition filed Dec. 19.

GEORGE MILTON, now a prisoner in the Debtors Prison for London and Middlesex, and late of Elizabeth-terrace, Liverpool-road, Islington, Middlesex, contractor, builder, dealer and chapman, Jan. 3 and Feb. 7 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Neal, 5, Austin-friars.—Petition dated Dec. 17.

JOHN BARBER, Eaton Locon, Bedfordshire, builder, Jan. 7 at 11, and Jan. 31 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Walpole, Beyton-lodge, near Bury St. Edmund's, Suffolk; Sharp & Co., 41, Bedford-row.—Petition filed Dec. 12.

JOHN NIX HARLOW, Ramsgate, Kent, wine and spirit merchant, dealer and chapman, Jan. 2 at half-past 11, and Feb. 6 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Michall, Red Lion-square.—Petition dated Dec. 13.

CHARLES MARSON, Newmarket, Cambridgeshire, livery-stable keeper and dealer in horses, dealer and chapman, Jan. 7 at 12, and Feb. 6 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Messrs. Linklater, Charlotte-row, Mansion-house.—Petition filed Dec. 21.

HENRY HAMER, Blackfriars-road, Surrey, linendraper, dealer and chapman, Jan. 9 and Feb. 6 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Jones, Sil-lane.—Petition dated Dec. 19.

MEETINGS.

Thomas Swift, Monmouth and Chepstow, Monmouthshire, and Brookwear, Gloucestershire, and Bristol, timber merchant, Jan. 20 at 11, District Court of Bankruptcy, Bristol, pr. d.—Edward Burrell, Liverpool, ironmonger, Jan. 3 at 12, District Court of Bankruptcy, Liverpool, ch. ass.—J. Sork, Kingston-upon-Hall, wine merchant, Jan. 15 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hall, aud. ac. and fin. div.—Wm. Jefferson, Kingston-upon-Hall, painter, Jan. 15 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hall, aud. ac. and fin. div.—J. Baskerville, Ludlow, Shropshire, linendraper, Jan. 6 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—T. Rollason and W. Burman, Birmingham, china dealers, Jan. 6 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—Wm. Piggott, Great Everaden, Cambridgeshire, general-shop keeper, Jan. 17 at 1, Court of Bankruptcy, London, div.—Joseph Robinson, High Holborn, Middlesex, bookseller, Jan. 14 at 1, Court of Bankruptcy, London, div.—Henry Channon, Bruton-st., Berkeley-square, Middlesex, haberdasher, Jan. 14 at 11, Court of Bankruptcy, London, div.—Tamaris Sarah Buttifant, Norwich, haberdasher, Jan. 17 at 11, Court of Bankruptcy, London, div.—Joseph Wilcox, Little Bell-alley, Moorgate-street, London, tailor, Jan. 18 at 1, Court of Bankruptcy, London, div.—G. C. Searle, Tyndale-place, Islington, Middlesex, apothecary, Jan. 16 at 11, Court of Bankruptcy, London, div.—Wm. Jones, Bristol, stationer, Jan. 17 at 11, District Court of Bankruptcy, Bristol, div.—C. S. Fenwick, Tynemouth, Northumberland, banker, Jan. 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—Wm. Hardy, Manchester, drysalter, Jan. 17 at 12, District Court of Bankruptcy, Manchester, fin. div.—Jonathan Higginson and Rich. Dene, Liverpool, merchants, Jan. 17 at 11, District Court of Bankruptcy, Liverpool, div.—Wm. Maury, Liverpool, merchant, Jan. 17 at 11, District Court of Bankruptcy, Liverpool, div.—Richard Abram, Liverpool, merchant, Jan. 17 at 11, District Court of Bankruptcy, Liverpool, div.—Samuel Gibson, York, licensed victualler, Jan. 17 at 11, District Court of Bankruptcy, Leeds, div.—Thomas Dalton and Thomas Edwards, Birmingham, ironfounders, Jan. 15 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on before the Day of Meeting.

S. Adams and W. B. Adams, Fair Field Works, Bow, Middlesex, engineers, Jan. 16 at half-past 12, Court of Bankruptcy, London.—H. F. Ross, West Cowes, Isle of Wight, Southampton, commission agent, Jan. 16 at 11, Court of Bankruptcy, London.—Chas. Brady, Rood-lane, Fenchurch-street, London, merchant, Jan. 17 at half-past 11, Court of Bankruptcy, London.—Alfred Cranston, Wimborne Minster, Dorsetshire, cabinet maker, Jan. 17 at 11, Court of Bankruptcy, London.—T. Dyson, Hardinge-terrace, Albert-street, Newington, Surrey, builder, Jan. 17 at half-past 1, Court of Bankruptcy, London.—R. Debenham, Edward-st., Portman-sq., Middlesex, draper, Jan. 21 at 1, Court of Bankruptcy, London.—J. Hall, Brighton, Sussex, victualler, Jan. 14 at 12, Court of Bankruptcy, London.—C. J. Hubbard, Crutchfield-friars, London, and Saffron Walden, Essex, hop merchant, Jan. 17 at 1, Court of Bankruptcy, London.—Wm. John A. Ioe, Merchant's Dockyard, Deptford-green, Kent, ship builder, Jan. 17 at 2, Court of Bankruptcy, London.—Geo. Clive Searle, Tyndale-place, Islington, Middlesex, apothecary, Jan. 16 at 11, Court of Bankruptcy, London.—Wm. Cole, Milton-next-Gravesend, Kent, pastrycook, Jan. 16 at 11, Court of Bankruptcy, London.—Henry Edward Ford and

Wm. Reeves, Leadenhall-street, London, ship and insurance agents, Jan. 17 at 12, Court of Bankruptcy, London.—*Job Way*, Princes-road, Uxbridge-road, Middlesex, licensed victualler, Jan. 17 at 11, Court of Bankruptcy, London.—*Hen. Lloyd and Thos. Lloyd*, Carmarthen, drapers, Jan. 17 at 11, District Court of Bankruptcy, Bristol.—*Peter Playfair*, Warwick, innkeeper, Jan. 16 at 12, District Court of Bankruptcy, Birmingham.—*John Liptrott Findley* the younger, Birmingham, tailor, Jan. 14 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Griffiths, Strand, Middlesex, linendraper.—*Edward Ground*, Wisbeach and Parson Drove, Cambridgehire, draper.—*Jonathan Steele*, Plough-road, Deptford, Kent, tar manufacturer.—*Henry Hart Davis*, Doddington-lodge, Battersea, Surrey, builder.—*Joseph Samuel Hodge and James Culpin*, New Oxford-st., Middlesex, tailors.—*Herman Wrede*, Kingsland-place, Kingsland-rd., Middlesex, pianoforte maker.—*Robert Thompson*, Hope-terrace, Notting-hill, Middlesex, builder.—*G. Norton*, Codford St. Mary, Wiltshire, plumber.—*Thomas Bradley*, Ranelagh-road, Pimlico, Middlesex, lace refiner.—*Daniel Radford and Gad Southall*, Gracechurch-st., London, coal merchants.—*John Wylie Barrow*, Philpot-lane, Fenchurch-street, London, commission agent.—*Luke Davy*, King-st.-terrace, and *Job Davy*, South-st., New North-road, Middlesex, builders.—*George Ketcher*, Asheldham, Essex, innkeeper.—*Archibald Galbreath*, Kingston-upon-Hull, commission agent.—*John Stork*, Kingston-upon-Hull, wine merchant.

FIAT ANNULLED.

Charles Middleton Kernot, West Cowes, Isle of Wight, Hampshire, chemist and druggist.

SCOTCH SEQUESTRATIONS.

Andrew Wilson, Lesmahagow, Lanarkshire, carrier.—*Wm. Mountain*, Greenock, rope merchant.—*Wm. Drysdale*, *John Drysdale*, and *Robert Mudie Drysdale*, Alva, Stirlingshire, wool spinners.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Dunk, Faversham, Kent, glover, Jan. 18 at 10, County Court of Kent, at Faversham.—*Rich. Hen. Twitche*, Bullington-cross, Bullington, Southampton, innkeeper, Jan. 22 at 10, County Court of Hampshire, at Andover.—*Samuel Bennett*, Sedgley, near Dudley, Staffordshire, iron bucket manufacturer, Dec. 31 at 3, County Court of Worcestershire, at Dudley.—*Jos. Morrall*, Dudley, Worcestershire, retail brewer, Dec. 31 at 3, County Court of Worcestershire, at Dudley.—*Jos. Lawley*, Bilston, Staffordshire, butty collier, Jan. 3 at 12, County Court of Staffordshire, at Wolverhampton.—*C. Baker*, Dudley, Worcestershire, broker, Dec. 31 at 3, County Court of Worcestershire, at Dudley.—*Robert Wilday Binks*, Tipton, Staffordshire, painter, Dec. 31 at 3, County Court of Worcestershire, at Dudley.—*Joseph Bellingham*, Dudley, Worcestershire, innkeeper, Dec. 31 at 3, County Court of Worcestershire, at Dudley.—*Wm. Drake*, Bristol, umbrella manufacturer, Jan. 22 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Pearce*, Bristol, paperhanger, Jan. 22 at 11, County Court of Gloucestershire, at Bristol.—*Sidney Sprod*, Bristol, upholsterer, Feb. 5 at 11, County Court of Gloucestershire, at Bristol.—*James Offer*, Bristol, brightsmith, Jan. 15 at 11, County Court of Gloucestershire, at Bristol.—*James Taylor*, Bristol, coachmaker, Jan. 22 at 11, County Court of Gloucestershire, at Bristol.—*Edmund Smith*, Manchester, beerseller, Jan. 3 at 2, County Court of Lancashire, at Manchester.—*John Page*, Eastbourne, Sussex, out of business, Dec. 31 at 1, County Court of Sussex, at Lewes.—*Augustus Jesse Couves*, Milton-next-Gravesend, Kent, out of business, Jan. 11 at 10, County Court of Kent, at Gravesend.—*A. Medus*, Landport, Hampshire, out of business, Jan. 14 at 11, County Court of Hampshire, at Portsmouth.—*Henry Robt. May*, Landport, Portsmouth, clerk in the electric telegraph office in her Majesty's dockyard at Portsmouth, Jan. 14 at 11, County Court of Hampshire, at Portsmouth.—*John and William Hookey*, Shorne Ridgway, Kent, milkmen, Jan. 11 at 10, County Court of Kent, at Gravesend.—*John Wilson*, Hulme, Lancashire, beerseller, an. 3 at 2, County Court of Lancashire, at Manchester.—

Bernard Jones, Market Drayton, Shropshire, grocer, Jan. 13 at 12, County Court of Shropshire, at Drayton.—*Henry Saunders*, Walsall, Staffordshire, tinner, Dec. 30 at 12, County Court of Staffordshire, at Walsall.—*Zachariah Slaney*, Frutton, Portsea, Hampshire, no business, Jan. 14 at 11, County Court of Hampshire, at Portsmouth.—*Mary Ann Bown*, widow, Matlock, Derbyshire, innkeeper, Jan. 8 at 11, County Court of Derbyshire, at Wirksworth.—*Richard Leadbetter*, Stafford, butcher, Jan. 6 at 12, County Court of Staffordshire, at Stafford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 8 at 11, before the CHIEF COMMISSIONER.

Edward Newbegin, jun., Rose-terrace, Newgate-market, London, meat salesman.—*Henry Dixon*, Strand, Middlesex, manifold writer.—*Horatio Clagett*, Abbey-road, St. John's-wood, gentleman.—*Jane Symonds*, Coltsenfield, Carshalton, Surrey, governess.—*John Clark*, Eliza-place, Clerkenwell, Middlesex, commission salesman.

Jan. 8 at 10, before Mr. Commissioner LAW.

William Sohl, Lambeth-walk, Lambeth, Surrey, baker.—*Richard Green*, St. John-street-road, Clerkenwell, Middlesex, corn chandler.

Jan. 9 at 11, before the CHIEF COMMISSIONER.

Thomas James Buck, Crayford, Kent, butcher.

Adjourned.

Jan. 8 at 11, before the CHIEF COMMISSIONER.

Thomas Stephens, Portland-place, St. Mark's-road, Kensington, Surrey, house agent.

Saturday, Dec. 21.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Henry Bird, Field-cottage, John-street, Upper Holloway, Middlesex, surgeon, No. 61,887 T.; *William Marchant*, assignee.—*Thomas Wm. Spooner*, Gloucester-terrace, New-road, Whitechapel, Middlesex, linendraper, No. 61,516 T.; *James Martin*, assignee.—*John Wells Lane*, Emascote, Warwickshire, licensed victualler, No. 73,044 C.; *Robert Walker*, assignee.—*George Appleby*, Shindcliffe-mill, near Durham, out of business, No. 73,071 C.; *John Eyton*, assignee.—*Thomas Turton*, Seaton Carew, Durham, brewer's clerk, No. 73,075 C.; *William Graham*, jun., assignee.

Saturday, Dec. 21.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Cornelius Davies, High-street, Poplar, Middlesex, hatter: in the Debtors Prison for London and Middlesex.—*Edward Burt*, Langley-place, Commercial-road East, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*James Bowditch*, Gravesend, Kent, attorney-at-law: in the Debtors Prison for London and Middlesex.—*Charles Carter*, Oxford-street, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*James Clarke*, Sussex-place, Hammersmith, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Thomas Hallows*, Little Sutton, Turnham-green, Chiswick, Middlesex, in no business: in the Debtors Prison for London and Middlesex.—*William Robert Coomer*, Bridge-road, Battersea, Surrey, bricklayer: in the Gaol of Horsemonger-lane.—*John Burgin*, Freeman's-lane, Horsleydown, Surrey, licensed victualler: in the Debtors Prison for London and Middlesex.—*John Denley*, Brunswick-place, Barnsbury-road, Islington, Middlesex, artist: in the Debtors Prison for London and Middlesex.—*John Lumley*, Whitechapel-road, Middlesex, clerk to the St. Katherine Dock Company: in the Debtors Prison for London and Middlesex.—*William Lambton*, Upper Queen's-buildings, Brompton, Middlesex, surgeon: in the Queen's Prison.—*Richard Ormerod Poits*, Webb's County-terrace, New Kent-road, Surrey, having an interest in the Atlas and Waterloo Omnibus Company: in the Queen's Prison.—*Mary Ann Green*, Holland-street,

Blackfriars-road, Surrey, eating-house keeper: in the Gaol of Horsemonger-lane.—*Richard Butler*, Market-street, Paddington, Middlesex, coach-smith: in the Debtors Prison for London and Middlesex.—*George Cove*, Strand, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*William Frederick Smith*, Charlotte-street, Fimlico, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*James Perring*, Besborough-gardens, Fimlico, Middlesex, professor of music: in the Debtors Prison for London and Middlesex.—*Samuel Lawrence*, Bedford-street, Covent-garden, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Francis Fenton*, Lansdowne-terrace, Caledonian-road, Islington, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*William Thomas Bell*, Green, near Farnborough, Kent, brewer's assistant: in the Queen's Prison.—*Hen. Giller*, Swinton-street, Gray's-inn-road, St. Pancras, Middlesex, ornamental glass manufacturer: in the Queen's Prison.—*William John Lawrence*, Laxon-street, Long-lane, Bermondsey, Surrey, oilman: in the Queen's Prison.—*James Joseph Iron Syer*, Sylvan-grove, Old Kent-road, Surrey, undertaker: in the Queen's Prison.

(On Creditors' Petition).

W. S. Merryweather, Woodcote, near Carshalton, Surrey, gentleman: in the Queen's Prison.

(On their own Petitions).

Joseph Wood, Quarry-hill, Leeds, Yorkshire, machine maker: in the Gaol of York.—*Michael Richardson*, Oldham, Lancashire, linen-draper: in the Gaol of Lancaster.—*George North*, Levenshulme, near Manchester, provision dealer: in the Gaol of Lancaster.—*John French*, Bradford, Yorkshire, machine maker: in the Gaol of York.—*James Pollard*, Liverpool, marine store dealer: in the Gaol of Lancaster.—*Fredk. Johnson* the younger, Manchester, rent collector: in the Gaol of Lancaster.—*Richard Fusackerley*, Liverpool, beer-house keeper: in the Gaol of Lancaster.—*Jas. Monks*, Manchester, beer-house keeper: in the Gaol of Lancaster.—*James Tagg*, Forebridge Castle, Church, Staffordshire, baker: in the Gaol of Stafford.—*James Cooper*, Tenterden, Kent, lath render: in the Gaol of Dover.—*Arthur W. Shidmore*, Aylham, Norfolk, ironmonger: in the Gaol of Norwich.—*Richard John R. Ball*, Milton next Gravesend, pilot: in the Gaol of Maidstone.—*Henry Bennett*, Chatham, Kent, corn factor: in the Gaol of Maidstone.—*John J. Curtis*, Erith, Kent, licensed victualler: in the Gaol of Maidstone.—*George Gambier*, Salford, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*James Crowther*, Castlegate, Yorkshire, joiner: in the Gaol of York.—*Charles Davies*, Astley, near Shrewsbury, Shropshire, butcher: in the Gaol of Shrewsbury.—*Mary Keay*, Stanney, Cheshire, in no business: in the Gaol of Chester.—*Henry Shaw*, Liverpool, shopman: in the Gaol of Lancaster.

(On Creditor's Petition).

Richard Weston, Chew, Stoke, Somersetshire, yeoman: in the Gaol of Wilton.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 8 at 10, before Mr. Commissioner LAW.

Edw. Hobday, Church-row, Kennington-common, Surrey, out of business.—*James Pearce*, Little Bell-alley, London-wall, cheesemonger.—*Cornelius Davies*, High-street, Poplar, Middlesex, hatter.

Jan. 9 at 11, before the CHIEF COMMISSIONER.

James B. Lambley, Alfred-terrace, Queen's-road, Grange-road, Bermondsey, Surrey, ornamental painter.—*Edw. Alex. Gavin*, Dover-st., Piccadilly, Middlesex, dentist.

Jan. 9 at 11, before Mr. Commissioner PHILLIPS.

Stephen Trinder, Finchley-road, St. John's Wood, Middlesex, livery-stable keeper.—*James Bryson* the younger, Air-street, Piccadilly, Middlesex, merchant's clerk.—*H. Archer*, Park-st., Grovenor-sq., Middlesex, plumber.—*R. Haldiday*, Compton-st., Brunswick-sq., Middlesex, general commission agent.—*John M. Derick*, Great Portland-street, Oxford-st., Middlesex, architect.—*James Gray*, Clarendon-place, Clarendon-square, Somers-town, Middlesex, out of business.—*Isaac Cockley*, York-buildings, Mill-pond-st., Bermondsey, Surrey, cheesemonger.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at BRISTOL, Jan. 1 at 11.

Lawrence Opperman, Bristol, licensed pawnbroker.

At the County Court of Norfolk, at the Shirhall, NORWICH CASTLE, Jan. 10 at 10.

Robert Oldam, Fordham, out of business.

At the County Court of Staffordshire, at STAFFORD, Jan. 7 at 12.

Robert Evans Davies, Tunstall, accountant.

At the County Court of Kent, at DOVER, Jan. 15 at 10.

James Cooper, Tenterden, lath render.

At the County Court of Kent, at MAIDSTONE, Jan. 7.

John J. Curtis, Erith, out of business.—*Fred. Roberts*, Woolwich, assistant to a woollendrapier.—*Thomas Usher*, Frittenden, farmer.—*Henry Bennett*, Chatham, corn factor.—*Wm. Cock*, Maidstone, bookbinder.—*Francis M. Webb*, Yalding, schoolmaster.

At the County Court of Wiltshire, at SALISBURY, Jan. 11 at 10.

Zebedes Garlick, Trowbridge, butcher.

At the County Court of Cumberland, at CARLISLE, Jan. 11 at 9.

Jane Forster, Stanwix, servant.

INSOLVENT DEBTORS' DIVIDENDS.

Edward Wright, Elm-tree-cottage, Enfield-highway, Middlesex, pensioner in the East India Company's service: 1s. 8d. in the pound.—*William Cope*, Cornwall-road, Lambeth, Surrey, retailer of beer: 7d. in the pound.—*Maryslet & Elliot*, widow, Brand-st., Greenwich, Kent, in no business: 3s. 3d. in the pound.—*Charles Gill*, Devereux-court, Strand, Middlesex, grocer: 8s. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

FRIDAY, DECEMBER 27.

BANKRUPTS.

FREDERICK YOUNG, North-place, Kingland-road, and Silver-street, Golden-square, Middlesex, cheesemonger, dealer and chapman, Jan. 3 at half-past 1, and Feb. 7 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Wellborne, 31, Tooley-street, Southwark.—Petition filed Dec. 19.

WILLIAM MITCHELL and **WILLIAM BINNS**, Barley, Yorkshire, ironfounders, dealers and chapmen, Jan. 13 and Feb. 3 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Shepherd & Marshall, Barnsley; Bond & Barwick, Leeds.—Petition dated Dec. 14.

JOSHUA UNWIN, Bradford, Yorkshire, stuff manufacturer, Jan. 16 and Feb. 7 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Richardson & Gant, Leeds.—Petition dated and filed Dec. 18.

JOHN BARKER, Newcastle-upon-Tyne, and North Shields, Northumberland, merchant and broker, dealer and chapman, Jan. 7 and Feb. 11 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Boyle, Newcastle-upon-Tyne; Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition filed Dec. 19.

MEETINGS.

Jonas Clark, Soham, Cambridgeshire, dealer in flour, Jan. 14 at 12, Court of Bankruptcy, London, last ex.—*Harry George Stahlachmidt*, Fenchurch-street, London, merchant, Jan. 14 at 1, Court of Bankruptcy, London, ex.—*John Dawson*, Northfleet, Kent, and Mitre-court-chambers, Temple, and Clement's-lane, Lombard-street, London, shipowner, Jan. 14 at 11, Court of Bankruptcy, London, last ex.—*Jas. Priestley*, Radcliffe, Lancashire, cotton spinner, Jan. 8 at 12, District Court of Bankruptcy, Manchester, last ex.—*William Cole*, Milton-next-Gravesend, Kent, pastrycook, Jan. 16 at 11, Court of Bankruptcy, London, and. ac.—*George Chas. Scott*, Tyndale-place, Islington, Middlesex, apothecary, Jan. 16 at 11, Court of Bankruptcy, London, and. ac.—*James Bailey*

Lark, Norwich, draper, Jan. 15 at a quarter past 1, Court of Bankruptcy, London, and. ac.—*John Roden*, Stamford, Lincolnshire, draper, Jan. 15 at 1, Court of Bankruptcy, London, and. ac.—*William Piggott*, Great Everaden, Cambridgeshire, general-shop keeper, Jan. 15 at 1, Court of Bankruptcy, London, and. ac.—*Martin Luther Pritchard* and *Robert Norris Dale*, Liverpool, sharebrokers, Jan. 16 at half-past 11, Court of Bankruptcy, London, and. ac. sep. est. of *Martin Luther Pritchard*.—*Joseph Samuel Hodge* and *James Culpin*, New Oxford-street, Middlesex, tailors, Jan. 9 at 12, Court of Bankruptcy, London, and. ac.—*Robert Barker* and *Henry Davey*, Bicester, Oxfordshire, drapers, Jan. 9 at half-past 11, Court of Bankruptcy, London, and. ac.—*Richard Groves Ward*, Brownlow-street, Drury-lane, Middlesex, coach currier, Jan. 10 at half-past 12, Court of Bankruptcy, London, and. ac.—*John Barnes*, Woodfield-road, Harrow-road, Paddington, Middlesex, builder, Jan. 11 at 12, Court of Bankruptcy, London, and. ac.—*William Pymen*, St. Onyth, Essex, corn merchant, Jan. 9 at 12, Court of Bankruptcy, London, and. ac.—*John Napoleon Reynolds*, Upper-street, Islington, Middlesex, grocer, Jan. 9 at 11, Court of Bankruptcy, London, and. ac.—*John Leigh*, Liverpool, merchant, Jan. 11 at 12, Court of Bankruptcy, London, and. ac.—*T. W. Dornford*, Suffolk-lane, Cannon-st., London, wine merchant, Jan. 10 at half-past 11, Court of Bankruptcy, London, and. ac.—*Frederick Bennett*, Clapham-rise, Clapham, Surrey, soda water manufacturer, Jan. 10 at 12, Court of Bankruptcy, London, and. ac.—*Albert Paine* and *George Fredk. Davies*, High-st., Southwark, Surrey, woollendrapers, Jan. 9 at half-past 12, Court of Bankruptcy, London, and. ac.—*James Groom Short*, Bell-street, Edgeware-road, Middlesex, iron-founder, Jan. 9 at half-past 11, Court of Bankruptcy, London, and. ac.—*Edwin Hyrons*, John-st., Tottenham-court-road, Middlesex, pianoforte manufacturer, Jan. 9 at half-past 11, Court of Bankruptcy, London, and. ac.—*John M'Guffie*, New-road, Whitechapel, Middlesex, draper, Jan. 9 at 11, Court of Bankruptcy, London, and. ac.—*Alfred Cranston*, Wimborne Minster, Dorsetshire, cabinet maker, Jan. 9 at 12, Court of Bankruptcy, London, and. ac.—*Henry Bolton*, Luton, Bedfordshire, straw-hat manufacturer, Jan. 9 at 11, Court of Bankruptcy, London, and. ac.—*Thomas Dyson*, Hardinge-terrace, Albert-street, Newington, Surrey, builder, Jan. 17 at half-past 1, Court of Bankruptcy, London, and. ac.—*Wm. Minter Wood*, Dover, Kent, hosier, Jan. 9 at 11, Court of Bankruptcy, London, and. ac.—*James Gillett Beach*, Woolwich, Kent, licensed victualler, Jan. 10 at half-past 1, Court of Bankruptcy, London, and. ac.—*Edward Stephenson*, Richmond, Surrey, builder, Jan. 9 at half-past 11, Court of Bankruptcy, London, and. ac.—*James Hibble*, Bishopsgate-street Without, London, oilman, Jan. 10 at half-past 1, Court of Bankruptcy, London, and. ac.—*James Hussey*, Poole, woollendraper, Jan. 9 at 12, Court of Bankruptcy, London, and. ac.—*Robert M'Dowall*, Worthing, Sussex, draper, Jan. 11 at half-past 11, Court of Bankruptcy, London, and. ac.—*Virgil James Powell*, King's-place, Commercial-road East, Middlesex, tobacco manufacturer, Jan. 11 at half-past 11, Court of Bankruptcy, London, and. ac.—*Cuthbert Smith Fenwick*, Tynemouth, Northumberland, banker, Jan. 14 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Ralph Dickenson*, Crook, Durham, grocer, Jan. 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Wm. Hardy*, Manchester, drysalter, Jan. 16 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Isaac Hall*, Doberross, within Saddleworth, Yorkshire, machine maker, Jan. 14 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Samuel Gibson*, York, licensed victualler, Jan. 16 at 11, District Court of Bankruptcy, Leeds, and. ac.—*Samuel Gundry* and *Walter Eustace Gundry*, Bridport, Dorsetshire, bankers, Jan. 22 at 11, District Court of Bankruptcy, Exeter, and. ac.; Jan. 23 at 1, div.—*Humphrey Donaldson*, Buckingham-st., Strand, Middlesex, army agent, Jan. 25 at 11, Court of Bankruptcy, London, div.—*Harry Burton*, York-square, Commercial-road East, Middlesex, clerk in her Majesty's Customs, London, Jan. 25 at 11, Court of Bankruptcy, London, div.—*William Kingdon Jones Wilson*, Stockwell, Surrey, master mariner, Jan. 18 at 1, Court of Bankruptcy, London, div.—*John Richards* the younger, Reading, Berkshire, banker, Jan. 21 at 11, Court of Bankruptcy, London, div.—*Henry Martin Bowden*, Lime-st., Leadenhall-st., London, general merchant, Jan. 22 at 11, Court of Bankruptcy, London, div.—*James Starkey*, Old-

street, St. Luke's, Middlesex, carpenter and builder, Jan. 21 at 11, Court of Bankruptcy, London, div.—*John Savill*, St. Neot's, Huntingdonshire, draper, Jan. 24 at 11, Court of Bankruptcy, London, div.—*Burrows Willcocks Arthur Sleigh*, Bedford-st., Strand, Middlesex, printer, publisher, and newspaper proprietor, Jan. 22 at 11, Court of Bankruptcy, London, div.—*Joseph Jardine*, Dartford, Kent, linendraper, Jan. 22 at 12, Court of Bankruptcy, London, div.—*William Lucas*, Preston, Lancashire, innkeeper, Jan. 14 at 12, District Court of Bankruptcy, Manchester, first and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Edward Hamlin Kiddle, Valentine-place, Webber-street, Blackfriars-road, Surrey, miller, Jan. 20 at 11, Court of Bankruptcy, London.—*Thomas King* the younger, King's-terrace, East Greenwich, Kent, builder, Jan. 17 at 11, Court of Bankruptcy, London.—*Robert Westley*, London-street, Greenwich, Kent, shoemaker, Jan. 17 at 1, Court of Bankruptcy, London.—*Robert Barker* and *Henry Davey*, Bicester, Oxfordshire, drapers, Jan. 17 at 1, Court of Bankruptcy, London.—*John Simpson*, Manchester, grocer, Jan. 21 at 12, District Court of Bankruptcy, Manchester.—*Joseph Smith*, Liverpool, haberdasher, Jan. 20 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

John Ryan, Mark-lane, London, and Manor-lane, Bermondsey, Surrey, manufacturing chemist.

SCOTCH SEQUESTRATIONS.

John Stewart, jun., Glasgow, fisher.—*William Kent*, Helensburgh, Dumbartonshire, joiner.—*George M'Leod & Co.*, Glasgow, chemists.—*David Reakie*, Ferry-Port-on-Craig, grocer.

DECLARATION OF INSOLVENCY.

Henry Dawes, Jan. 15 at 11, County Court of Shropshire, at Newport.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Hughes, Carnarvon, painter, Jan. 20 at 11, County Court of Carnarvonshire, at Carnarvon.—*Thomas Edwards*, Llanvabon, Glamorganshire, carpenter, Jan. 17 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*John Davies*, Swansea, Glamorganshire, licensed victualler, Jan. 10 at 10, County Court of Glamorganshire, at Swansea.—*George Frier*, West Bromwich, Staffordshire, brewer, Jan. 1 at 2, County Court of Staffordshire, at Oldbury.—*Wm. Lark*, Great Yarmouth, Norfolk, cooper, Jan. 14 at 10, County Court of Norfolk, at Great Yarmouth.—*Thomas Burton*, Birmingham, plumber, Jan. 11 at 11, County Court of Warwickshire, at Birmingham.—*Charles M. Banks*, Handsworth, Staffordshire, plumber, Jan. 25 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Smith*, Doncaster, butcher, Jan. 13 at 12, County Court of Yorkshire, at Doncaster.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 10 at 10, before Mr. Commissioner LAW.

Edward Smyrk, Penton-place, Kington-road, Surrey, fringe maker.—*Alfred Chislett*, Postern-row, Tower-hill, and Greenfield-st., Commercial-road East, Middlesex, optician.

Jan. 11 at 11, before Mr. Commissioner PHILLIPS.

Duppa Jenkins, Cowley-street, Westminster, Middlesex, law writer.—*George Dawes*, Ratcliff-terrace, Goswell-road, Middlesex, sawmaker.—*Robert Blair*, Stamford-grove East, Upper Clayton-street, Middlesex, out of business.—*Joseph Arkell*, Villiers-street, Strand, Middlesex, out of business.—*John Mead*, Fetter-lane, Holborn, out of business.

Jan. 13 at 10, before Mr. Commissioner LAW.

George Grand, Fore-street, Edmonton, Middlesex, out of business.—*Benj. John Jones*, Tooley-street, Southwark, Surrey, lighterman.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 10 at 10, before Mr. Commissioner LAW.

J. Higgs, Sidney-street, Caledonian-road, Islington, Middlesex, carpenter.—David Enscoe, Upper Thames-st., Blackfriars, hardwareman.—Chas. Carter, Oxford-street, Hanover-square, Middlesex, grocer.

Jan. 11 at 11, before Mr. Commissioner PHILLIPS.

John Burgin, Freeman's-lane, Horsleydown, Shad Thames, Surrey, licensed victualler.—Jas. Clarke, Sussex-place, Hammersmith, Middlesex, out of business.—James Perring, Besborough-gardens, Pimlico, Middlesex, professor of music.

Jan. 13 at 11, before the CHIEF COMMISSIONER.

Thomas Moor, Church-street, Greenwich, Kent, dealer in hay.—John Denley, Brunswick-place, Barnsbury-road, Islington, Middlesex, artist.—M. M. Laughlin, Southwark-bridge-road, Surrey, manufacturer of ginger beer.

Jan. 13 at 10, before Mr. Commissioner LAW.

Mary Ann Green, Holland-street, Blackfriars-road, Surrey, eating-house keeper.—J. Piper the elder, Devonshire-place, Turnham-green, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Jan. 10 at 10.

Benj. Hastings, Catfield, land agent.—A. W. Skidmore, Aylsham, out of business.

At the County Court of Norfolk, at the Guildhall, NORWICH, Jan. 11 at 10.

John B. Farman, Downham Market, out of business.—I. Clarke, Norwich, butcher.

At the County Court of Glamorganshire, at CARDIFF, Jan. 15.

John Thomas, Newbridge, land surveyor.

At the County Court of Monmouthshire, at MONMOUTH, Jan. 17 at 2.

Wm. Baskett, Newport, grocer.

INSOLVENT DEBTOR'S DIVIDEND.

Thomas William Easthope, Cheltenham, out of business, at Cooper's, Upton-upon-Severn: 3s. 6½d. in the pound.

COURT OF CHANCERY.—The Queen has been pleased to appoint Sir John Romilly, Knight, Attorney-General, George James Turner, Esq., Q. C., Richard Bethell, Esq., Q. C., James Parker, Esq., Q. C., William Page Wood, Esq., Q. C., Charles Crompton, Esq., Barrister-at-Law, and William Milbourne James, Esq., Barrister-at-Law, to be her Majesty's Commissioners for inquiring into the process, practice, and system of pleading in the Court of Chancery.

His Royal Highness the Prince Albert has been pleased to appoint John Lucius Dampier, Esq., Barrister-at-Law, to be Vice-Warden of the Stannaries, in the county of Devon.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—Walbanke Baker Barber, of Liverpool; George Cooper Myers, of Montrose, Scotland.

This day is published, in 1 vol. royal 8vo., price 18s. cloth boards, **A SUPPLEMENT to JARMAN & BYTHEWOOD'S CONVEYANCING**, Title "Purchase-deeds," containing the recent Statutes relating to the Practice of Conveyancing, including the Trustee Act, 1850, the Stamp Act, and the Attendant Terms Act. With a Summary of the Stamp Laws, Precedents of Conditions of Sale, copious Notes, and an Index. By GEORGE SWEET, Esq., of the Inner Temple, Barrister at Law.

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Of whom may be had,

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London: William Benning & Co., Law Booksellers, 43, Fleet-street.

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The Jurist

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JANUARY 4, 1851.

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LONDON, JANUARY 4, 1851.

In our paper on the subject of Chancery reform of the 21st December, 1850, we did not touch upon the subject of the different kinds of bills which are now considered requisite, and the mode in which the great complexity arising out of that part of our procedure may be remedied. And here, before proceeding further, we must apprise our readers, that, as we are not the Chancery commissioners, we do not intend or pretend to suggest a complete set of orders or rules, but only to throw together such observations on the principles which we think should regulate equity pleading, with the occasional consequential suggestions of details, as have occurred to us, as the result of some experience and much reflection.

Now, as to different kinds of bills, we have at present, first, the original bill; secondly, the amended bill, applicable to the suggestion of facts which were in existence, and either known or not known, at the time of filing the bill; thirdly, the bill of revivor, for setting on a suit rendered defective by death and some other uses; fourthly, the supplemental bill, for suggesting facts occurring after the filing of the original bill; fifthly, the compounds of the several bills. And it is well known, that to file one of these bills, when it ought to have been, in point of form, one of the others, is to subject the draftsman to the annoyance of a demurrer, and the client to an expense ranging between 50% and 100%. Is there any necessity whatever for so many kinds of bills? We apprehend not. The sole object of a bill is to apprise the defendant, before the cause is issued, what is the case made and intended to be proved by the plaintiff. Now, that the plaintiff should at liberty, under certain restrictions, to put on the

record all the facts material to him, whether they existed before he first filed his bill or occurred after, is conceded; but it is wholly immaterial, except as a matter of purely practical convenience, whether he does so by an addition to the original bill, or by a substantive bill. What we suggest, therefore, on this head, is, to abolish all distinctions subsequently to the filing of the original bill; to permit any material matter, whensoever or howsoever arising, to be added to the record, either by indorsement on the original bill or by a rider, at the choice and convenience of the plaintiff; and that no particular form should be required for such addition to the record, provided it be plainly expressed, and conform to the general rules regulating the frame of the original bill.

Another grave defect in principle, as we conceive, in our equity procedure, is the extraordinary sanctity attributed to the answer. A plaintiff moves for production of documents, for payment of money into court, for an injunction, &c. He must take all his facts upon certain points from the defendant's answer; he may be ready to bring twenty witnesses to contradict the answer; they cannot be heard; upon the statements contained in the answer he must proceed. A case recently occurred in which the plaintiff's title to an injunction depended on the question, whether a certain custom of trade existed; if it did, an implied contract arose on the part of the defendant; if it did not, there was no such contract. The defendant swore (no doubt believing it to be true) that there was no such custom. The plaintiff was ready with several witnesses to prove the custom. The Court avoided deciding that the affidavits were inadmissible, but it refused the injunction; and as the injunction would have been pretty clearly grantable if the plaintiff's evidence

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had been received, (because it was overwhelming in amount, and the credit of the witnesses was not impeached), it was, in effect, the defendant's answer which settled the question. Now, this rule works infinite injustice, and is, in itself, quite without rational principle. When a defendant reads his own answer as evidence, he is simply a witness, and there is no reason why he should be believed more than any other witness. The sound rule would, we apprehend, be, that on all interlocutory applications the plaintiff's affidavits (if affidavits are retained at all as evidence in contested cases) should be received to contradict the answer, giving the defendant liberty to require the attendance of any witness to cross-examine him, if he thought fit, in open court; and the defendant should also be subject to cross-examination on all such parts of his answer as he chooses to read as evidence; for although it would probably be oppressive to *compel* a defendant to submit to a *vivâ voce* examination against himself, yet if he chooses to tender himself as a witness on his own behalf, he cannot justly complain that his evidence should be tested in the same manner as that of any other witness.

But it may be further matter for very grave consideration, whether, in at least some interlocutory applications, evidence by affidavit should be used at all, or whether in such cases a *vivâ voce* examination of witnesses should not always be resorted to.

Take the case of a contested motion to restrain a railroad company from erecting a particular bridge, or executing any other particular work; the allegation being, that, as executed, it is not within the company's power. In these cases there is generally a pile of affidavits on the one side shewing that the work is constructed in a given way, and a pile of counter affidavits shewing that it is constructed in quite a different way; on such evidence the Court is usually driven to send the case to law, for an action or an issue*: whereas, if the witnesses on both sides were examined and cross-examined *vivâ voce*, the Court would be able at once to decide. Now, why should not a Court of equity so proceed? Two statements, and two only, have we ever heard advanced as reasons. First, it is said that Chancery has always proceeded on written evidence; secondly, that to proceed otherwise would take up too much of the time of the Court. The first statement is simply of a fact; it is obviously no reason at all, and we shall pass it by. The second is more specious than sound. If it be meant that the trial of a motion for an injunction on *vivâ voce* evidence would take longer than it does as now heard on affidavit, that is probably, in general, true; but if it be meant that more time would be consumed in doing business, that, we

apprehend, is not true. For it must not be forgotten, that every motion on which no order is made, merely liberty to bring an action being given, or an action being directed, is in effect an abortive motion—a pure waste of judicial time. The judge might as well have been sitting in his own library, reading for his own amusement, as far as the dispatch of business is concerned. He has simply been applying his judicial faculties for a given number of hours, to find out that he has no power to decide anything. Whereas, if motions were heard in the mode suggested, it is probable that in nine out of ten cases a decision would be at once pronounced; because the real difficulty felt by a judge in equity is very rarely on the question of law, but almost always on the question of fact. What we should suggest, therefore, for the consideration of the commissioners on this point is the proposition, that, on all motions opposed on the facts, affidavits should not be received, but that the witnesses should be examined *vivâ voce*, as they now are in an action.

We now approach a question, not of procedure, but of practice—one of considerable delicacy, but one on which, as the Court has hitherto interfered to make regulations, it should again interfere to make fresh regulations, when the data on which its former ones were founded have been altered. We allude to the mode of regulating the taxation of counsel's fees and solicitors' costs. Hitherto, equity having proceeded wholly by writing, and according to certain fixed forms, which were never short, the length of the writings formed a sufficiently convenient mode of calculating the extent of labour of the professional man; and though it was very absurd in theory to measure the remuneration of either counsel or solicitors, not by the difficulty of their work and the skill with which it was done, but by the quantity of paper covered with writing before them, still, in practice, the plan worked tolerably well. But now that a new system has commenced—which will, beyond all question, be more completely elaborated—according to which the quantity of writing will be, on a moderate calculation, reduced to one-fourth of what it used to be, and according to which there will be no regular average quantity of writing in any given kind of case, the old rules of taxation are manifestly inapplicable, and must be abolished.

The subject is not without difficulty, but the difficulty consists chiefly in considering the profession of a lawyer as essentially different from any other profession. If it be borne in mind that a lawyer, in either branch of the Profession, is, after all, but a man who works with his head and hands, in a given branch of knowledge, and that the true measure of the remuneration due to him, is the time during which he labours, having regard to the difficulty and perfection of his work, it will not be difficult to perceive that a reasonable rule may be arrived at for estimating that remuneration, even although the work be not done in the form of so many folios written or read.

The principle, then, of the rule that we should suggest would be this—that the time occupied, having regard to the nature of the work and the skill required for it, should be the measure of the fees and costs allowed on taxation.

* The same may be said of motions to restrain infringement of patents, which have been almost entirely driven out of the Court of Chancery, by the difficulty of determining the facts of novelty, of infringement, and of sufficiency of description in the specification, upon affidavits. In the days when such motions used still to be made, it was common to have two days in Chancery occupied upon affidavits in determining nothing, and afterwards to find the very same questions determined at law upon oral evidence in one day. The same difficulty occurs where the motion is for purely equitable relief, as where it is for relief in aid of a legal right. If the facts are complicated, the Court is compelled to decide with insufficient materials, or to direct an issue.

For this purpose the office of the Taxing Masters would require to be remodelled; they should not be all solicitors, nor all counsel, but a mixed tribunal of counsel and solicitors; so that what should be allowed on taxation might be determined upon in each case, by a person of competent knowledge; and the rule by which the Taxing Masters should be directed to govern themselves, should be by reference to the difficulty of the business and the time alleged to be, or judged to be, requisite for it. At first, no doubt, such a system of taxation would be found a little troublesome to work. Taxing Masters would have to read the papers in disputed cases, to judge whether the costs and fees claimed were fair or not; but, after a little experience, we are convinced that the Masters would acquire a practical skill in estimating the amount of time requisite to execute any given piece of business, and the value of that time fairly estimated with regard to the just claims of all parties, which would enable them, in the great majority of cases, to decide with as much regularity as they now do.

Reviews.

A Practical Treatise on the Law of Contracts not under Seal, and upon the usual Defences to Actions thereon. By JOSEPH CHITTY, Jun., Esq. The Fourth Edition, by JOHN A. RUSSELL, B.A., of Gray's Inn, Barrister at Law. Royal 8vo., pp. 919. [Sweet.]

Almost every work bearing the name of a Chitty is adapted, in its design at least, to supply some professional want of daily occurrence, and bears in its details the impress of practical judgment and unwearying industry. The scientific merits of the various volumes which compose the great Chitty library are more diversified, though none of them reach a very high standard. The late author of the popular work before us endeavoured to render it "not only an elaborate and complete treatise on the principles of the law of contracts, illustrated and explained by practical cases, but also a useful Nisi Prius book on the very many important subjects which it embraces." In the latter part of his design he is acknowledged to have been eminently successful; the clear arrangement of the subjects, the practical mode of treatment, and the concise statements of the facts of the leading cases, rendered the work a most efficient Nisi Prius hand-book. Towards the elucidation of principles, the author did little more than state with sufficient exactness the results of the various decisions that came under his notice. When two cases were in conflict, he pointed out the fact, but did little or nothing to help his reader to the better conclusion on points left unsettled by the balance of authorities, though in his preface he claimed credit for an attempt "to reconcile decisions apparently of a conflicting nature, and to point out those cases which seemed not to be supported by principle." This subservience to individual cases and neglect of general principles gave rise to a defect of logical continuity in the development of the subject, and impressed upon the work the character rather of a very elaborate digest than of a scientific treatise.

Mr. Russell has evidently been sensible of the deficiency on the part of his author which we have pointed out, for he has not contented himself with incorporating in the work the substance of the recent statutes and decisions, and making room for his additions by a judicious abridgement of the original text, but has re-written a considerable part of the work, and in-

terwoven a continuous reference to, and recapitulation of, general principles, which makes the book as readable as it could well be made, without impairing its completeness for practical purposes.

Mr. Russell has much increased the utility of the book for the purpose of reference, by adding marginal notes or abstracts of the contents of the several paragraphs—a matter of detail apparently trifling, but the neglect of which seriously impairs the utility of many excellent works.

The following summary of the principal contents of the work will shew how many questions of hourly occurrence are embraced within its range. Indeed, Chitty on Contracts and Sugden on Vendors and Purchasers may fairly be said to supply half the wants of an attorney's office.

Chap. 1.—Sect. 1. Of the different kinds of contracts—Of the assent of the parties—The consideration.

Sect. 2. Of the form and construction of contracts—Oral contracts and parol evidence.

Sect. 3. Of stamping agreements.

Chap. 2.—Sect. 1. Of persons incompetent to contract, or protected from liability on their engagements. Persons insane—intoxicated. Infants—Married women—Aliens—Outlaws—Bankrupts—Insolvents—Durees.

Sect. 2. Of principal and agent. Master and servant—Partners—Assignees of a bankrupt or of an insolvent—Executors and administrators—Corporations—Government agents—Commissioners of roads &c.—Trustees—Parish officers.

Chap. 3.—Sect. 1. Contracts for the purchase of real property. Statute of Frauds—Contracts between landlord and tenant as to tenancy, repairs, taxes, notice to quit, fixtures, away-going crops—Use and occupation &c.

Sect. 2. Contracts for the sale and exchange of goods. Statute of Frauds—Fraudulent sales—Illegal sales—Rights of vendor and vendee—Warranty—Composition in lieu of tithes—Bailments—Carriers—Wagers—Guaranties and indemnities—Discharge of sureties.

Sect. 3. Contract to marry.

Sect. 4. Contracts for services and works.

Sect. 5. Contracts respecting money. Money lent—Money paid for defendant's use—Money had and received—Interest—Account stated.

Chap. 4.—Sect. 1. Contracts illegal at common law, as being immoral, contrary to public policy, or fraudulent.

Sect. 2. Contracts void by statute. Usury—Gaming and horse-racing—Stock-jobbing—Illegal companies or associations—Sales of offices—Contracts made on Sundays—Illegal charges on benefices.

Chap. 5. Of the usual defences to actions on simple contracts. Performance, and excuses for non-performance—Payment—Award and satisfaction—Taking of negotiable security—Release by act of the party, or operation of law—Another action pending, or judgment recovered—Arbitration and award—Tender—Statute of Limitations—Set-off—Infancy—Coverture—Bankruptcy and certificate—Discharge under the Insolvent Act.

Chap. 6. Of the damages recoverable in assumpsit, and herein of a penalty and liquidated damages.

A Practical Treatise on Benefit Building Societies, embracing their Origin, Constitution, and Change of Character, and the Superiority of Permanent over Terminating Societies. Also the Principles and Practice of Tontine Building Companies, Freehold Land Societies, &c., and the Law relating to those Societies; with the Statutes and Cases to the present Time. Also Rules, Forms, and Precedents of Freehold, Copyhold, and Leasehold Securities, with Practical Notes. By WILLIAM STONE, Attorney-at-Law. 12mo., pp. 328.

[Maxwell.]

We have already noticed Mr. Scratchley's valuable work on those considerations respecting the constitution, business, and accounts of building societies, which are within the province of an actuary, to the merits of which Mr. Stone fairly bears testimony in the following terms:—"On the subject of compound interest, and on all matters connected with accounts and calculations as regards these societies, the very able treatise of Mr. Scratchley will be found of the utmost use, and as a work of reference is indispensable." On all other questions relating to building societies Mr. Stone's work appears to us to be the best that has been published. He is evidently fond of his subject, and enters into the history and economy of building societies with great animation, and a strong desire to extend the knowledge and use of this modern contrivance for making the most of small savings and small securities. The mode of working a building society, and the relative advantages of the different schemes which have been invented, are explained in a very clear and satisfactory manner; but we think the whole of the picture wears a little too much of the rosy tint, and investors are not sufficiently cautioned to exercise the most vigilant scrutiny into the fidelity, judgment, and conduct of their surveyors and professional advisers.

From our author's commendation of Tontine building schemes in general, and of the Folkestone Tontine Building Company in particular, we entirely dissent. The name of Lorenzo Tonti should go down to posterity with that of the inventor of lotteries, and equally dishonoured. A tontine creates gratuitously a risk and uncertainty of the very same kind with those which, when they necessarily arise from the nature of things, an insurance is intended to compensate and neutralise. It is the opposite of an insurance, and is as noxious as an insurance is beneficial. If the Folkestone scheme has been a source of profit to all parties concerned, it is due, not to the tontine folly associated with it, but to the extraordinary development of the resources of the place by the traffic on the South-eastern Railway.

Mr. Stone includes Freehold Land Societies in the scope of his work, but he does not do justice to the subject; and, indeed, seems to have as undue a prejudice against those undertakings as he has in favour of tontines. The specific objections to them, whether legal or prudential, do not very clearly appear from Mr. Stone's remarks, which remind us of Dr. Primrose's ambiguous comments on his wife's hopeful prognostications.

The principal contents of the book are as follows:—

Part I.—Chap. 1. Introductory observations.—Chap. 2. The origin, progress, and constitution of Benefit Building Societies.—Distinction between terminating and permanent societies, &c.—Chap. 3. Of the formation and constitution of Benefit Building Societies.—Chap. 4. General remarks on the advantage of Building Societies, both to investors and to borrowers.—Chap. 5. Proposed extension to personal property.

Part II.—Chap. 1. Of Tontine Building Societies.—Chap. 2. Of Freehold Land Societies.—Chap. 3. Of societies established to erect buildings.—Chap. 4. Pro-

posed extension of the principle of the Building Societies Act.

Part III.—Chap. 1. Practical observations on the law relating to Benefit Building Societies, &c., including so much of the law of Friendly Societies as is applicable to them.—Chap. 2. The law as to the qualification to vote in respect of property mortgaged to such societies.—Chap. 3. The statutes.

Part IV.—Chap. 1. Precedent of rules for a permanent society.—Chap. 2. Forms for a permanent society.—Chap. 3. Precedents of securities on freehold, copyhold, and leasehold property.

The following extract will recommend at once the work and the subject:—

Investors' Advantages.—"In the first place, these institutions enable persons in the industrious and middle classes of society to save money, by the payment of small periodical instalments, in so convenient a manner that the sums so paid are scarcely missed; and in the course of a short time, by the gradual accumulation of these payments at compound interest, a considerable sum is realised for any purpose to which the investor may wish to apply it. And the investor has the great advantage of withdrawing his money at any time when it is likely to prove most useful, and he can then take new shares, and begin to save again.

"Previously to the establishment of these institutions, the only modes by which interest could be made of money were by means of the savings banks for small sums, and by means of the public funds for larger sums. About 3½ per cent. is the highest rate of interest which can be made by these means, and then only after a sufficient sum has been saved to make it worth while to invest it; whereas these societies pay at least 5½ per cent. compound interest, commencing on small instalments, and without the necessity for previous savings. The moment the first subscription is paid by a shareholder, he has the satisfaction of knowing it begins to be productive.

"The monthly subscriptions on shares of 25*l.* are so small that they are quite within the means of mechanics, artisans, domestic servants, and others in a similar class of life, who have hitherto been in the habit of placing their savings in the savings banks.

"The usual monthly subscription for a share of 25*l.* in permanent societies is 3*s.* 3*d.*, amounting yearly to the sum of 1*l.* 19*s.* These subscriptions, continued for ten years certain, by which time they will amount to 19*l.* 10*s.*, will entitle the investing member to 25*l.*; consequently he will realise 5*l.* 10*s.* in addition to the subscriptions which he has from time to time paid, which sum amounts in fact to 5½ per cent. compound interest; and if in the mean time he desires to withdraw his money from the society, he can do so at any time on giving a short notice, and he will then receive interest up to that period, in addition to the amount of his subscriptions; and, as before stated, he can then begin to save again. Now, this is a mode of saving money which may be recommended by masters of large establishments to their assistants, by the masters and mistresses of families to their servants and dependents, and by the ministers of religion to their congregations. Nothing is more truly charitable and wise than to induce those over whom we possess influence, by judicious and well-timed advice, to become the architects of their own future prosperity and comfort, by a prudent economy, and the fostering of provident habits when the opportunity offers. In fact, the same reasons which have caused the savings banks to do so much good in this respect apply with greater force to these institutions, because they are more extensive in their operation.

"Then, again, they afford to the members of the

learned professions, to independent gentlemen of moderate fortunes, the superior class of tradesmen, and others in the middle class of life, the opportunity of gradually and with ease accumulating a fund to place out children in professions or trades, for marriage portions, for fines on leases, for the purchase of businesses or partnerships, and for many similar purposes." (P. 44).

Borrowers' Advantages.—"As a general rule, 5l. per cent. interest is charged on sums not exceeding 1000l. or 1200l.; that being about the range taken by building societies. Sometimes, however, sums from 500l. to 1200l. may be obtained at 4l. and 4l. 10s. per cent. interest on good landed security. Hitherto building societies have had but little to do with securities on land, because they have been established in populous districts, with the intention of advancing money on house property; therefore, in ninety-nine cases out of a hundred, where money has been advanced by a building society, it may be assumed, that if the advance had been obtained from a private individual, only half the value would have been lent, and 5l. per cent. interest would have been charged, payable half-yearly.

"Taking, therefore, for granted, that interest at 5l. per cent. is charged on ordinary mortgages of house property not exceeding 1200l., the two modes of borrowing money may be tested in the following manner on a sum of 100l. for ten years:—

Private advance of	£100	0	0
Ten years' interest at 5l. per cent.	50	0	0
	£150	0	0
Yearly payments to a permanent society, at 1l. 2s. 6d. a month..	£13	10	0
Multiply by ten years.....	10		
	135	0	0
Balance in favour of society, less commission..	£15	0	0

"The same result will arise on an advance on the sum of 100l. for fourteen years:—

Private advance of	£100	0	0
Fourteen years' interest, at 5l. per cent.	70	0	0
	£170	0	0
Yearly payments to a permanent society, at 18s. a month	£10	16	0
Multiply by fourteen years.....	14		
	151	4	0
Balance in favour of society, less commission..	£18	16	0

"The foregoing instances are decidedly in favour of building societies. They shew, however, the actual payments only made by the borrower for principal and interest on the sum advanced, without allowing anything for compound interest either way; and inasmuch as the half-yearly payments of interest on a private mortgage are less than the repayments or subscriptions to a building society, the amount of compound interest would be considerably in favour of the private mortgage, if it were assumed that the borrower could make compound interest on the small instalments paid to the society. But this cannot be fairly assumed. On the contrary, it may reasonably be supposed that such small sums of money would from time to time lie idle and unproductive, and at the best could only be made productive at 3l. per cent. in the funds, with considerable inconvenience and expense.

"The consequence is, that in effect the borrower does not pay a higher, if so high a rate of interest in these societies, as he does by raising money on private mortgage; although, for the purposes of strict calculation, and on the assumption that money will always make compound interest, it is stated, in the calculations relating to these societies, that the borrowers pay 6l. or 7l. per cent.

"But even if it were allowed that a borrower pays a higher rate of interest to these societies than is customary on mortgages, still the advantages greatly preponderate in favour of the former.

"No one ought to borrow money without considering in what way he shall redeem it or pay it back again. If a person be careless and thoughtless with reference to this important rule, the evil day will be sure to arrive sooner or later, when either he or his family will suffer the consequences of his improvidence, in the sacrifice of his property, by a forced sale or otherwise. If a person builds or purchases property which will pay him eight or ten per cent. on his outlay, it will be very easy for him to pay five per cent. for the money which he has borrowed on a mortgage of it, and treat the rest as profit. He may go on pleasantly enough for a few years, keeping the interest pretty regularly paid, but the time comes when the principal money is required by the lender, which often happens when it is difficult to obtain money; and if otherwise, there is at least the expense of a transfer to another person. It occurs, however, too frequently, that the property is sacrificed, or a great loss sustained." (P. 47).

"It may be said that this is in the nature of things, and cannot be avoided; but it is manifest that building societies are the exact remedy for this evil: by joining them, a person is constrained, as it were, to be provident, and he redeems his property from necessity. Instead of appropriating the surplus rents to support a more expensive mode of living, they must be applied, either voluntarily or compulsorily, towards making good the payments to the society, which, in the course of a few years, have the effect of releasing the property from any incumbrance." (P. 51).

"By obtaining money from a building society, a borrower has the additional advantage of being quite as independent and free from the caprice of others as he was beforehand. All he has to do is to provide with care for the periodical subscriptions payable to the society, and all further anxiety is avoided. These societies are now constituted in such a manner that a borrower may redeem, sell, or let his property at any time with as much or even greater facility than he could if it were privately mortgaged; so that there is no counteracting difficulty in this respect.

"These societies also enjoy another very important advantage, in consequence of their being able, with perfect safety, to advance a much larger sum in proportion to the value of the property, because the borrower at once begins to repay portions of the principal money. Instead of only half the value, three-fourths, and even more, may be safely advanced when required." (P. 52).

Court Papers.

COMMON-LAW SITTINGS, IN AND AFTER HILARY TERM, 1851.

Court of Queen's Bench.

MIDDLESEX.—In Term.

1st sitting .. Monday .. Jan. 13, and following days, at 11.
2nd sitting.. Thursday 16, and subsequent days, at 11.
3rd sitting.. Wednesday ... 29, at half-past 9 precisely (for undefended causes only).

After Term.—Saturday, Feb. 1, at half-past 9.

A list of causes will be printed immediately; but on the contradicted statement of either side that a cause is too long to be tried in term, it will be withdrawn from such list, and a

small number of completed and new causes will be put into the list day by day, in their usual order.

LONDON.—In Term.

Sitting at 10, on Thursday, Jan. 30, for undefended causes, and such causes as are tried in Middlesex after term, with judgment of the term.

After Term.—Monday, Feb. 3, to adjourn.

N. B.—The hours of attendance at the Marshal's office of this Court will in future be from 11 till 5 during term and sittings, instead of from 11 to 2, and 6 to 8.

Court of Common Pleas.

In Term.

MIDDLESEX.	LONDON.
Thursday..... Jan. 16	Monday..... Jan. 20
Thursday..... 23	Monday..... 27

After Term.

Saturday..... Feb. 1	Monday..... Feb. 3
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The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Monday, the 3rd February, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The office of the Marshal and Associate is at the Lord Chief Justice's Chambers, Rolls-garden, Chancery-lane. Hours of attendance during term, and sittings after term, are from 11 to 5.

Exchequer of Pleas.

In Term.

MIDDLESEX.	LONDON.
1st sitting, Monday.. Jan. 13	1st sitting, Saturday, Jan. 18
2nd sitting, Monday..... 20	2nd sitting, Saturday..... 25
3rd sitting, Monday..... 27	

After Term.

Saturday..... Feb. 1	Monday..... Feb. 3
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(To adjourn only).

The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment, from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

The Court will sit, during and after term, at ten o'clock.

London Gazettes.

TUESDAY, DECEMBER 31.

BANKRUPTS.

FREDERICK YOUNG, North-place, Kingsland-road, and Silver-street, Golden-sq., Middlesex, cheesemonger, dealer and chapman, Jan. 3 at half-past 1, and Feb. 7 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Wellborne, 31, Tooley-street, Southwark.—Petition filed Dec. 19.

EDWIN TRENT, Sherborne, Dorsetshire, and Yeovil, Somersetshire, draper, dealer and chapman, Jan. 9 at half-past 12, and Feb. 14 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Hardwick & Co., Weavers'-hall, Basinghall-street, London.—Petition dated Dec. 20.

JAMES GINN, Sudbury, Suffolk, builder and carpenter, Jan. 15 and Feb. 11 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Messrs. Stedman, Sudbury, Suffolk; Marston, 14, Carey-street, Lincoln's-inn.—Petition filed Dec. 21.

JOHN HUGHES, Haddonby, Lincolnshire, beast jobber and sheep salesman, dealer and chapman, Jan. 10 and Feb. 7 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Dibben, Leicester; Hodgson, Birmingham.—Petition dated Dec. 26.

JAMES SIMONS, Wibtoft, Warwickshire and Leicester-shire, horse dealer, dealer and chapman, Jan. 14 and Feb. 11 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Gregory, Leicester.—Petition dated Dec. 28.

JOSEPH HALEY and WILLIAM THOMASON, Manchester, cotton manufacturers, Jan. 10 and 31 at 11, District Court of Bankruptcy, Manchester: Off. Ass. McKenzie; Sols. Atkinson & Co., Manchester.—Petition filed Dec. 19.

WILLIAM ATKINSON the younger, Goole, Yorkshire, shipwright, dealer and chapman, Jan. 14 and Feb. 10 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Stamp, Hull; Bond & Barwick, Leeds.—Petition dated Dec. 21.

EBENEZER LAKE, Okehampton, Devonshire, druggist and grocer, dealer and chapman, Jan. 14 and Feb. 5 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Bishop & Pitts, Exeter.—Petition filed Dec. 26.

MEETINGS.

Patrick Cruickshank, John Melville, and Wm. F. Street. Austin-friars, London, merchants, Jan. 14 at 2, Court of Bankruptcy, London, pr. d.—*R. G. Ward,* Brownlow-street, Drury-lane, Middlesex, coach carrier, Jan. 13 at half-past 11, Court of Bankruptcy, London, last ex.—*James B. Lark,* Norwich, draper, Jan. 17 at 11, Court of Bankruptcy, London, last ex.—*John Roden,* Stamford, Lincolnshire, draper, Jan. 15 at 12, Court of Bankruptcy, London, last ex.—*Henry G. Stahlckmidt,* Fenchurch-street, London, merchant, Jan. 15 at 12, Court of Bankruptcy, London, aud. ac.—*G. S. Jehu,* King-street, Hammersmith, Middlesex, cheesemonger, Jan. 15 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Wm. Negus,* Bagnigge-wells-road, Middlesex, victualler, Jan. 14 at 1, Court of Bankruptcy, London, aud. ac.—*Joseph Smith,* Liverpool, haberdasher, Jan. 20 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Jan. 22 at 11, div.—*James Horsfield,* Wheelock, near Sandbach, Cheshire, coal dealer, Jan. 20 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Jan. 22 at 11, div.—*Hudson Cranston,* Sunderland, Durham, chemist and druggist, Jan. 24 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Robert Fairley,* Sunderland, Durham, chemist, Jan. 21 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Jan. 23 at half-past 11, div.—*John Wallace,* Carlisle, Cumberland, grocer, Jan. 23 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Jan. 24 at 11, fin. div.—*George Hornsby and Robert Porter Mould,* Newcastle-upon-Tyne, builders, Jan. 21 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Jan. 23 at half-past 12, div. sep. est. of *George Hornsby.*—*John Rhodes,* Clegg-hall, and *James Rhodes,* Rochdale, Lancashire, cotton spinners, Jan. 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Mellor,* Manchester, haberdasher, Jan. 10 at 11, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 24 at 12, div.—*John Wilkinson,* Stockton-upon-Tees, Durham, wharfinger, Jan. 23 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*John George Thomson,* Manchester, agent, Jan. 23 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Savill, St. Neot's, Huntingdonshire, draper, Jan. 22 at 11, Court of Bankruptcy, London.—*John Whittaker,* Swansea, Glamorganshire, druggist, Jan. 22 at 11, District Court of Bankruptcy, Bristol.

To be granted, unless an Appeal be duly entered.

Robert King, Oxford, coal merchant.—*James M. Munier,* Liverpool, corn merchant.—*Richard Batterby,* Liverpool, ironfounder.

PARTNERSHIP DISSOLVED.

Thomas Baker and Edward Brookes, Manchester, attorneys-at-law, (under the firm of Baker & Brookes).

SCOTCH SEQUESTRATIONS.

William Hamilton & Co., Lonsdale, near Paisley, and Glasgow, bleachers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Allcock, Northwich, Cheshire, dealer in glass, Jan. 4 at 11, County Court of Cheshire, at Northwich.—*John*

Sands, King's Lynn, Norfolk, baker, Jan. 22 at 2, County Court of Norfolk, at King's Lynn.—*Hammond Knights*, Barney, Norfolk, blacksmith, Jan. 22 at 2, County Court of Norfolk, at King's Lynn.—*William Rudd*, King's Lynn, Norfolk, carver, Jan. 22 at 2, County Court of Norfolk, at King's Lynn.—*William Kirby*, King's Lynn, Norfolk, shoemaker, Jan. 22 at 2, County Court of Norfolk, at King's Lynn.—*Hugh Williams*, Bangor, Carnarvonshire, printer, Jan. 21 at 10, County Court of Carnarvonshire, at Bangor.—*John Hughes*, Bangor, Carnarvonshire, tinman, Jan. 21 at 10, County Court of Carnarvonshire, at Bangor.—*Absalom Humphreys*, St. Asaph, Flintshire, shoemaker, Jan. 27 at 11, County Court of Flintshire, at St. Asaph.—*C. Atkinson*, Barnard Castle, Durham, joiner, Jan. 16 at 10, County Court of Durham, at Barnard Castle.—*J. Abbott*, Debenham, Suffolk, grocer, Jan. 17 at 10, County Court of Suffolk, at Ipswich.—*Samuel Robinson* the elder, Sproughton, near Ipswich, Suffolk, dealer in cattle, Jan. 17 at 10, County Court of Suffolk, at Ipswich.—*J. Pearson*, Wigton, Cumberland, out of business, Jan. 11 at 11, County Court of Cumberland, at Wigton.—*Rev. G. Alex. Paske*, Newham Market, Suffolk, clerk, Jan. 17 at 10, County Court of Suffolk, at Ipswich.—*Chas. Brown*, Ipswich, Suffolk, baker, Jan. 17 at 10, County Court of Suffolk, at Ipswich.—*Thos. Robson*, North Shields, Northumberland, publican, Jan. 17 at half-past 10, County Court of Northumberland, at North Shields.—*Henry Whitmill*, Northampton, boot and shoe manufacturer, Jan. 15 at 10, County Court of Northamptonshire, at Northampton.—*Robert Poole*, Wellington, Shropshire, auctioneer, Jan. 17 at 10, County Court of Shropshire, at Wellington.—*John Forster*, Newcastle-upon-Tyne, watchmaker, Jan. 16 at 10, County Court of Northumberland, at Newcastle.—*Edwin Daniel*, Stone, Staffordshire, surgeon, Jan. 8 at 11, County Court of Staffordshire, at Stone.—*Joseph Clemitson*, Newcastle-upon-Tyne, draper's assistant, Jan. 16 at 10, County Court of Northumberland, at Newcastle.—*George Hedley*, Newcastle-upon-Tyne, assistant draper, Jan. 16 at 10, County Court of Northumberland, at Newcastle.—*John Firman*, Soham, Cambridgeshire, blacksmith, Jan. 24 at 2, County Court of Cambridgeshire, at Soham.—*Samuel Ashton*, Old Weston, Huntingdonshire, shoemaker, Jan. 29 at 3, County Court of Northamptonshire, at Thrapston.—*Thomas Davies*, Bedwelty, Monmouthshire, farm bailiff, Jan. 23 at 10, County Court of Monmouthshire, at Tredegar.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 15 at 11, before the CHIEF COMMISSIONER.

Wm. Thos. Deane, Richmond, Surrey, out of business.—*Chas. Brooks*, Cornwall-terrace, Great Dover-road, Newington, Surrey, clerk to a town carman.—*John Absolon*, Hanover-st., Islington, Middlesex, baker.—*Chas. Fredk. Underwood*, Walton-st., Overington-square, Brompton, Middlesex, odging-house-keeper.

Jan. 15 at 10, before Mr. Commissioner LAW.

Sinclair Blue, Mary-place, Bow-lane, Poplar, Middlesex, out of business.

Saturday, Dec. 28.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Samuel Lench the younger, Liverpool-st., Bishopsgate-st., London, tin-plate worker: in the Debtors Prison for London and Middlesex.—*Edw. Wright*, Bennett-st., Fitzroy-square, Middlesex, out of business: in the Debtors Prison or London and Middlesex.—*Abraham Colliss*, Northam-st., Bowers-town, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Stephen Geo. Burridge*, Marendon-street, Wyndham-road, Camberwell, Surrey, tailor: in the Queen's Prison.—*John Sharp*, New-st., Lower Shadwell, Middlesex, miller: in the Debtors Prison for London and Middlesex.—*John Thomas Beneat*, Hoxton Old Town, Middlesex, master mariner: in the Queen's Prison.—*John Bartley*, Brunswick-st., Hackney-road, Middlesex, printer: in the Queen's Prison.—*Henry Trent*, Cambridge-street,

Edgeware-road, Middlesex, in no business: in the Queen's Prison.—*Wm. Hollands*, Pavement, Finsbury, London, innkeeper: in the Debtors Prison for London and Middlesex.

(On Creditors' Petition).

Wm. Mingaye, Lyndhurst-square, Peckham, Surrey, post captain in her Majesty's Navy: in the Queen's Prison.

(On their own Petitions).

John Hardwick, Barugh Ambo, near Malton, Yorkshire, farmer: in the Gaol of York.—*Henry T. Walker*, late of the vessel called The Tar, of London, in the Basin, Gloucester, ship master: in the Gaol of Gloucester.—*William Ansell* the younger, Cambridge, cabinet maker: in the Gaol of Cambridge.—*Ezekiel Tall* the younger, Witcham, Isle of Ely, Cambridgeshire, agricultural machine man: in the Gaol of Cambridge.—*George Jackson*, Low Fell, Gateshead, Durham, insurance broker: in the Gaol of Newcastle-upon-Tyne.—*John Webb*, Burton-upon-Trent, Staffordshire, tailor: in the Gaol of Stafford.—*George Davison*, Castlesides, near Shotley Bridge, Durham, publican: in the Gaol of Durham.—*Firmis Potto*, Witham, Essex, currier: in the Gaol of Essex.—*Robt. Barnard* the younger, Thaxted, Essex, cattle dealer: in the Gaol of Essex.—*John Brook*, Robert Town, near Leeds, Yorkshire, boot maker: in the Gaol of York.—*Joseph Turton*, Leeds, Yorkshire, flax spinner: in the Gaol of York.—*M. Staveley*, Toxteth-park, Liverpool, victualler: in the Gaol of Lancaster.—*John Smith*, Heaton Norris, near Manchester: in the Gaol of Lancaster.—*George Rothery*, Liverpool, victualler: in the Gaol of Lancaster.—*Wm. Lupton*, Brighton Waterloo, near Liverpool, auctioneer: in the Gaol of Lancaster.—*William Hopkins*, Mount Pleasant Penydarren Iron Works, Merthyr Tydvil, Glamorganshire, engine fitter: in the Gaol of Cardiff.—*Jarvis Clayton*, Manchester, tailor: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 15 at 10, before Mr. Commissioner LAW.

John Lumley, Whitechapel-road, Middlesex, gauger to the St. Catherine's Dock Company.

Jan. 16 at 11, before Mr. Commissioner PHILLIPS.

Francis G. Alven, Cheapside, London, eating-house keeper.—*Thomas Morton*, Panton-sq., Haymarket, Middlesex, in no trade.—*Wm. Lambton*, Upper Queen's-buildings, Brompton, Middlesex, surgeon.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Suffolk, at IPSWICH, Jan. 17.

Isaac Ward, Bildestone, shoemaker.—*John Pawsey*, Stowmarket, out of employment.—*John Wolton* the younger, Sutton, near Woodbridge, agricultural labourer.

At the County Court of Northamptonshire, at NORTHAMPTON, Jan. 15.

Charles Noble, Wymington, near Higham Ferrers, publican.

At the County Court of Sussex, at LEWES, Jan. 28 at 12.

Richard Baines, West Heathly, out of business.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, Jan. 16 at 10.

George Jackson, Gateshead, insurance broker.

At the County Court of Glamorganshire, at CARDIFF, Jan. 15.

Evan Jones, Aberaman, collier.—*Watkin Jeffreys*, Abegare, grocer.

At the County Court of Essex, at CHELMSFORD, Jan. 16.

Thomas Haywood, Latchingdon, wheelwright.—*R. Barnard* the younger, Thaxted, cattle dealer.—*Henry Guy*, Ipswich, attorney-at-law.—*Firmis Potto*, Witham, out of business.

FRIDAY, JANUARY 3.

BANKRUPTS.

EDWARD POWNALL, Ipswich, Suffolk, and Harwich, Essex, shipowner, dealer and chapman, Jan. 10 at 1, and March 1 at 11, Court of Bankruptcy, London: Off. Am. Pennell; Sols. Churchyard, Woodbridge; Sole & Turner, Aldermanbury, London.—Petition dated Dec. 31.

EPHRAIM GODBOLT and **GEORGE GODBOLT**, College-place, King's-road, Chelsea, Middlesex, carpenters and builders, Jan. 11 at half-past 11, and Feb. 15 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Smith, 5, New-inn, London.—Petition dated Dec. 24.

FRANCIS MASTERS, Reading and Newbury, Berkshire, plumber, painter, and glazier, Jan. 14 at half-past 12, and Feb. 14 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Mecey, Thatcham, Berkshire; Rickards & Walker, 29, Lincoln's-inn-fields.—Petition filed Dec. 28.

JAMES CHARLES COCHRANE MILLAR, Clifton-street, Finsbury, Middlesex, surgeon and apothecary, and dealer in furniture, Jan. 10 and Feb. 10 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Taylor, 15, South-street, Finsbury-square.—Petition dated Jan. 1.

WILLIAM STEPHENS MERYWEATHER, West Ham, Essex, and now of the Queen's Prison, Surrey, brickmaker, dealer and chapman, Jan. 17 at 2, and Feb. 18 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Raw, 5, Fumival's-inn, Holborn.—Petition filed Jan. 1.

WILLIAM PITCHER, Pershore, Worcestershire, corn dealer, dealer and chapman, Jan. 14 and Feb. 11 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Petition dated Dec. 26.

PATRICK TOOLE, otherwise **PATRICK O'TOOLE**, Liverpool, provision dealer, Jan. 10 and Feb. 13 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Norris, Liverpool.—Petition filed Dec. 26.

EDWARD HALL, Sunnyside, Salford, Lancashire, small-ware manufacturer, dealer and chapman, Jan. 15 and Feb. 5 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester.—Petition filed Dec. 24.

MEETINGS.

Robert Owen, Manchester, tailor, Jan. 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Simpson*, Manchester, grocer, Jan. 22 at 11, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 29 at 11, div.—*John Clegg*, Manchester and Eccles, Lancashire, ribbon manufacturer, Jan. 17 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*William Goodwin*, Macclesfield, Cheshire, manufacturer, Jan. 17 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 24 at 12, div.—*William Thomas*, Southrop, Gloucestershire, baker, Jan. 16 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Henry Cole*, Birkenhead, Jan. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Richard Abram*, Liverpool, merchant, Jan. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. Higginson* and *R. Deane*, Liverpool, merchants, Jan. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of *R. Deane*.—*Thomas Williams*, Epsom, Surrey, draper, Jan. 24 at 12, Court of Bankruptcy, London, div.—*F. K. Fowell* and *E. Thos. Cranford*, Boulogne-sur-Mer, France, and Piccadilly, Middlesex, wine merchants, Jan. 24 at 11, Court of Bankruptcy, London, div. sep. est. of *F. K. Fowell*.—*Daniel Wade Acraman*, *Wm. Edw. Acraman*, and *Alfred John Acraman*, Bristol, merchants, Jan. 28 at 11, District Court of Bankruptcy, Bristol, fin. div. sep. ests. of *W. E. Acraman* and *A. J. Acraman*; Feb. 4 at 11, div. joint est.—*John F. Taylor*, Bakewell, Derbyshire, grocer, Jan. 29 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Tuffield, Hoxton Old-town, Middlesex, tallow chandler, Jan. 24 at 2, Court of Bankruptcy, London.—*Wm. Ford*, High Holborn, Middlesex, haberdasher, Jan. 30 at 12, Court of Bankruptcy, London.—*Thomas Clarke*, Newport, Monmouthshire, grocer, Jan. 29 at 12, District Court of Bankruptcy, Bristol.—*R. D. Reeves*, Liverpool, spirit dealer, and *R. H. Dawson*, Oxtou, Cheshire, out of business, Jan. 28, District Court of Bankruptcy, Liverpool.—*Arthur Beard*, Colne Engain, Essex, wine merchant, Jan. 31 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

John Baker, Cheltenham, Gloucestershire, dealer in boots and shoes.—*S. C. Lakeman*, St. Mildred's-court, London, commission agent.—*Henry Pooley*, Wisbeach St. Peter's, Cambridgeshire, carpenter.—*H. H. Johnson* and *G. H. John-*

son, Aldermay-churchyard, Watling-street, London, whole-sale tea dealers.—*Jas. S. Tripp*, Lombard-street-chambers, Clement's-lane, London, dealer in railway shares.—*T. Williams*, Epsom, Surrey, draper.—*Henry C. Cawston*, Kingsland, Middlesex.—*Ralph Nuttall*, Macclesfield, Cheshire, silk manufacturer.

PARTNERSHIPS DISSOLVED.

Chas. R. Williams and *Edward L. Cor*, Lincoln's-inn-fields, Middlesex, attornies, solicitors, and conveyancers.—*Joseph W. Bromley* and *Walter Wm. Aldridge*, Gray's-inn, Middlesex, attornies and solicitors.—*Thomas Tilson*, Barry P. Sqaunce, *Wm. Clarke*, and *David S. Morice*, Coleman-street, London, attornies and solicitors, (so far as respects the said *B. P. Sqaunce*).—*Wm. Adams* and *Wm. Norris*, Tenbury, Worcestershire, attornies and solicitors.—*William Williamson* and *Wm. T. Shaw*, Derby, attornies and solicitors.—*Edward White*, *R. J. P. Broughton*, and *Chas. E. White*, Great Marlborough-street, St. James's, Westminster, Middlesex, attornies and solicitors, (so far as to the said *C. E. White*).—*P. G. Greville* and *Robt. Hare*, Lombard-street, London, solicitors and patent agents.—*Wm. Bull* and *J. Worsley*, Ryde, Isle of Wight, attornies, solicitors, and conveyancers.—*George Lawrence* and *H. A. Reed*, Bread-street, Chespeide, London, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

Robert Dougall, Glasgow, grocer.—*Daniel M'Intyre*, Cor-dan, near Lamlash, Island of Arran, shipowner.—*Ross & M'Phail*, Broadford, Isle of Skye, merchants.—*John Donaldson*, Edinburgh, boot-tree maker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Richings, Stanford-in-the-Vale, Berkshire, baker, Jan. 10 at 11, County Court of Berkshire, at Farringdon.—*Thos. Wm. Banks*, Ipswich, Suffolk, millwright, Jan. 17 at 10, County Court of Suffolk, at Ipswich.—*Wm. Balls*, Bradfield, Essex, baker, Jan. 17 at 12, County Court of Essex, at Harwich.—*R. Bateson*, Lancaster, in no business, Jan. 17 at 11, County Court of Lancashire, at Lancaster.—*J. Hosken*, Tolcarne, Gwennap, Cornwall, miner, Jan. 16 at 11, County Court of Cornwall, at Redruth.—*J. Atkinson*, Blakay-house, Farn-dale East Side, Lasingham, Yorkshire, innkeeper, Jan. 24 at 11, County Court of Yorkshire, at Helmsley.—*Michael Williams*, Houghton-le-Spring, Durham, dealer in marine stores, Jan. 23 at 10, County Court of Durham, at Durham.—*Saml. Gamble*, Lutterworth, Leicestershire, carrier, Jan. 23 at 11, County Court of Leicestershire, at Lutterworth.—*J. Twiley*, South Blyth, Earsdon, Northumberland, innkeeper, Jan. 17 at half-past 10, County Court of Northumberland, at North Shields.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 17 at 11, before the CHIEF COMMISSIONER.

Paul Jean Baptiste Grenet, Sloane-terrace, Chelsea, Middlesex, comedian.—*Edw. Beard*, Smith-st., Chelsea, Middlesex, teller in the Inland Revenue-office.

Jan. 17 at 10, before Mr. Commissioner LAW.

Robert Lodge, Chalton-street, Somers-town, Middlesex, plumber.—*Lewis Lyons*, Great Union-st., Newington-greenway, Surrey, dealer in pictures.

Jan. 18 at 11, before Mr. Commissioner PHILLIPS.

Samuel Bird, Albany-st., Regent's-park, Middlesex, furrier.—*Wm. Shenton*, Stafford-place, Vauxhall-bridge-road, Middlesex, timber dealer.—*Alfred Tassell*, Cumberland-place, Newington-butts, Surrey, corn dealer.—*James Thompson*, Victoria-place, Pomeroy-st., Old Kent-road, Surrey, baker.—*Zaccheus Miller*, Edward-terrace, Caledonian-road, Pentonville, Middlesex, retired first lieutenant in the Royal Marines.

Saturday, Dec. 28.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Thomas Dewdney, Plymouth, Devonshire, seedsman, No. 73,043 C.; *John Clappitt Sercombe*, assignee.—*Samuel Hulley*, Ashton-under-Lyne, Lancashire, sub-contractor, No. 73,081 C.; *Thomas Levick*, assignee.—*Thomas Wilding*, Liverpool, shipchandler, No. 73,067 C.; *Francis Rawlinson*, assignee.—*James Keylock*, Pangbourne, near Reading, Berkshire, in no business, No. 72,895 C.; *John Guest*, assignee.—*Thos. Bird*, Sidbury, Worcestershire, butcher, No. 73,092 C.; *Jos. Dance*, assignee.—*Hyam Ansell*, Great Prescott-street, Goodman's-fields, Middlesex, bill broker, No. 61,494 T.; *Moss Levy*, assignee.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 17 at 11, before the CHIEF COMMISSIONER.

Thomas Bailey, Circus-st., Marylebone, Middlesex, currier.—*Samuel Lawrence*, Bedford-st., Covent-garden, Middlesex, commission agent.—*Wm. T. Bell*, Green, near Farnborough, Kent, brewer's assistant.

Jan. 17 at 10, before Mr. Commissioner LAW.

Alfred Pilkington, Percival-street, Clerkenwell, Middlesex, goldsmith.—*Francis Fenton*, Lansdowne-terrace, Caledonian-road, Islington, Middlesex, out of business.—*Wm. Longley*, Eaton-place, North-row, Park-lane, Oxford-street, Middlesex, carpenter.

Jan. 20 at 10, before Mr. Commissioner LAW.

John Nathan, Windsor-street, Bishopsgate-st., Middlesex, cabriolet driver.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Stretchill Foden, Blackburn, Lancashire, out of business, No. 73,087; *James Latham*, assignee.—*E. Lord*, Ardwick, Manchester, manager in a cotton factory, No. 73,108; *Thos. Styring*, assignee.—*Michael M'Donnell*, Liverpool, licensed

victualler, No. 73,118; *Joseph Heathcock*, assignee.—*C. Evans*, widow, Liverpool, out of business, No. 73,113; *Luke Madden*, assignee.—*Enoch Bulcock*, Clitheroe, Lancashire, farm labourer, No. 73,159; *Thomas Thwaites*, assignee.—*J. Prosser*, Manchester, out of business, No. 73,180; *Joseph H. Beswick*, assignee.—*John Tattersall*, Salford, Lancashire, out of business, No. 73,089; *Robert Gray*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Jan. 17 at 11.

Henry Shaw, Liverpool, assistant to general warehousemen.—*George Gambier*, Salford, out of business.—*Wm. Lupton*, Brighton Waterloo, near Liverpool, auctioneer.—*Michael Richardson*, Oldham, out of business.—*George Rothery*, Liverpool, out of business.—*John Smith*, Heaton Norris, near Manchester, out of business.—*Joseph Shires*, Hulme, Manchester, out of business.—*Matthew Staveley*, Liverpool, tailor.—*Thomas Johnston*, Manchester, manufacturer of checks.—*Thomas Chadwick*, Manchester, commission agent.—*James Dover*, Salford, beer-seller.—*Jas. Monks*, Manchester, brick-maker.—*John Wright*, Manchester, grocer.

At the County Court of Sussex, at PETWORTH, Jan. 24.

William Mant, Chichester, baker.

At the County Court of Shropshire, at SHREWSBURY, Jan. 21 at 10.

Charles Davies, Astley, near Shrewsbury, butcher.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—*Frederic Calvert, Esq.*, for the borough of Aylesbury, in the room of *George Lord Nugent*, deceased.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—*William Meikle*, of Edinburgh; *John Leach Nicholas*, of Monmouth.

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